DOCUMENT RESUME

ED 362 316 PS 021 775

TITLE	The 1993 Family Day Care Licensing Study. Family Day Care Advocacy Project.
INSTITUTION	Children's Foundation, Washington, D.C.
PUB DATE	May 93
NOTE	174p.
AVAILABLE FROM	Children's Foundation, 725 Fifteenth Street, N.W., Suite 505, Washington, DC 20005-2109 ($22, plus $3.30 shipping and handling).
PUB TYPE	Reference Materials - Directories/Catalogs (132) -- Reports - Descriptive (141)
EDRS PRICE	MF01 Plus Postage. PC Not Available from EDRS.
DESCRIPTORS	*Certification; Early Childhood Education; Elementary Education; *Family Day Care; National Surveys; State Legislation; *State Standards
IDENTIFIERS	*Family Day Care Providers

ABSTRACT

This study contains the results of a nationwide survey of state regulatory agencies conducted to update family day care licensing information gathered in 1992. Following a list of definitions for terms used in the study and a brief overview of each state's regulatory requirements for small and large family day care providers, the main section provides a two- to five-page entry for each state and the District of Columbia. Each entry provides the following information: (1) number of day care homes; (2) regulations and requirements; (3) training and orientation; (4) provider qualifications; (5) complaint procedure; (6) discipline policy; (7) immunization policy; (8) nutrition policy; (9) smoking policy; (10) emergency medical consent policy; (11) infant care programs; (12) sick child care programs; (13) special needs care programs; (14) before and after school programs; (15) national life safety fire code; (16) zoning; (17) available resources; (18) local contact; and (19) pending legislation. Each entry also provides the name, address, and telephone number of the official who supplied the information. (MDM)

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1993
Family Day Care Licensing Study

Family Day Care Advocacy Project

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THE CHILDREN'S FOUNDATION
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THE 1993 FAMILY DAY CARE LICENSING STUDY

May, 1993

1993 FAMILY DAY CARE LICENSING STUDY

Introduction

The 1993 Family Day Care Licensing Study contains the results of a nationwide survey of state regulatory agencies to update family day care licensing information gathered in 1992. Information on family day care homes (FDCH) and group or large family day care homes (LFDCH or GDCH) is included.

The data collected has been increased this year and is organized into nineteen categories:

- **Number of Homes**
- **Training and Orientation**
- **Complaint Procedure**
- **Immunization Policy**
- **Nutrition Policy**
- **Infant Care Programs**
- **Special Needs Care Programs**
- **National Life Safety Fire Code**
- **Available Resources**
- **Pending Legislation**
- **Regulations and Requirements**
- **Provider Qualifications**
- **Discipline Policy**
- **Smoking Policy**
- **Emergency Medical Consent Policy**
- **Sick Child Care Programs**
- **Before and After School Programs**
- **Zoning**
- **Local Contacts**

There are four new categories in the 1993 Study: Complaint Procedure, Smoking Policy, Nutrition Policy, and Available Resources. In the various categories, we have tried to include the specific regulations that exist for LFDCH or GDCH. It should be assumed that they still must adhere to the requirements that apply to FDCH unless otherwise noted.

The 1993 Study reflects the many changes in the regulations in the states as a result of the guidelines for the Child Care and Development Block Grant. You will find that many states have changed all or part of their regulations, or in the process of carrying out that task. Many states have new regulations in promulgation; still others will be implementing new regulations later in 1993. Where possible we have tried to indicate this information.

States may not have available the accurate number of FDCH or LFDCH/GDCH. This is often because they are changing from one kind of regulation to another, or from no regulation at all, to some form of regulation; thus, it is too soon to provide that information. Where the information was not available or only approximate, we have attempted to indicate.

We acknowledge that the 1993 Study is up-to-date only as of the date on which the information was supplied by each state. You will note that three states, AR, IL, and WV, show the same information as was in the 1992 Study.

It is the intention of The Children's Foundation that the information in this Study be useful to child care providers, advocates, the media, and policy makers as each group makes decisions or works on behalf of children and families.

MAY, 1993

Methodology

This Study is an annual update of information originally compiled in 1976. The data was secured from the central regulatory agency in each of the 50 states and the District of Columbia. The agencies were asked to verify the information we had gathered in the 1992 Study and answer additional new questions on family day care homes and large family day care homes. The additional questions are formulated on the basis of requests for information which The Foundation gets during the year. This mailing took place during January, 1993.

After this information was gathered, proof sheets were sent back to the regulatory agencies for re-verification. This took place during the months of March and April. If a state has two asterisks (**) after the state name, it means that the state did not re-verify the information by date of press.

The name and address of the state agency that supplied and/or verified the information for each state is located at the top of each state's fact sheet. A complete list of the state contacts is listed at the end of the Study.

Acknowledgements

We are grateful to the various child care officials in state agencies across the country who took time out of their busy schedules to provide and re-verify the information contained in this Study.

We would also like to thank Sandra Gellert, who gathered, collated, and compiled the information contained in this year's update.

We hope that this Family Day Care Licensing Study will be of continuing value to those working in the areas of family day care profession.

Kay Hollestelle
Executive Director

The 1993 FAMILY DAY CARE LICENSING STUDY is available from The Children's Foundation, 725 Fifteenth Street, NW, Suite 505, Washington, DC 20005-2109. The cost is $22.00 plus 15% for shipping and handling. Orders must be prepaid: US currency only.

[NO PORTION OF THIS STUDY MAY BE COPIED WITHOUT THE WRITTEN PERMISSION OF THE CHILDREN'S FOUNDATION.]

Definitions

These definitions are the ones established and used by The Children's Foundation for this Licensing Study. We have attempted to be as clear and precise as possible, but variations do exist from state to state. Please refer to individual state data or secure complete state regulations if questions arise.

CERTIFICATION/APPROVAL: Refer to definition of Registration. For all practical purposes is the same as registration but often linked to providers receiving public funds.

FAMILY DAY CARE HOME (FDCH): A child care arrangement in which usually up to six children are cared for in the home of the caregiver. Preschool children of the caregiver are counted as part of the group being served. State laws vary in determining the maximum number of children allowed in the home. The age of the children is sometimes used in establishing maximums.

INFANT: A child twenty-four months (2 years) old or younger.

LARGE FAMILY DAY CARE HOME (LFDCH): Some states also refer to these homes as **GROUP HOMES (GDCH).** A child care arrangement in which a provider usually cares for from seven to twelve children in the home of the provider with an assistant(s) present.

LICENSING: The granting of formal permission by a designated state or local agency to an individual or legal entity to operate a child care facility. The state/local agency has the authority to ensure that standards are being met, set procedures for revoking a license and provide appeal mechanisms. In addition to the inspections carried out by the licensing agency, local fire and health departments also carry out on-site inspections of family day care homes. Generally, a license is issued and renewed as long as all of the applicable regulations are being met. The purpose, then is to protect vulnerable consumers by setting a minimum floor for reasonably safe service.

ORIENTATION: An introduction to the profession of family day care offered to prospective providers. The state regulations regarding family day care, an overview of how to establish a family day care home, and the responsibilities of family day care providers are all topics that are normally covered in an orientation. Orientations are usually provided by local regulatory agencies.

PROVIDER: An individual who provides child care for payment to unrelated children in her/his own home.

REGISTRATION Type 1: Registration is a form of regulation that stresses caregiver self-inspection and parent awareness. It is intended to identify service providers that the government cannot or chooses not to license. The process works in the following way: Registration standards are determined (generally standards used in licensing). When the provider receives information detailing these standards, she/he does a self-study to determine whether these standards are met. This study usually includes self-certification that the provider has met certain fire and health standards. On receipt of this information by the regulating agency, the FDCH is considered to be registered and has permission to operate. Inspections in many cases are not made unless a complaint is lodged. In some instances, parents are provided with a copy of the regulations and a form for filing a complaint.

Type 2: In some states, registration is a simple sign-up procedure where operating FDCHs are listed with the regulatory agency. These homes are not required to meet specific day care standards.

SELF-CERTIFICATION: Self-certification is a process where a potential provider gets a form from the proper licensing agency, fills it out as it pertains to the potential FDCH, usually needs to get the form notarized, and then returns the form the licensing agency.

STATE SPONSOR: In the administration of the USDA Child and Adult Care Food Program, this is the state agency which administers this program for the Federal government in that particular state.

SYSTEM: Any sponsoring organization who approves family day care homes as members of its system. Systems refer children to available homes in that system, provide administrative functions (technical assistance, evaluation, supervision, inspection, etc.) to homes in that system, and make referrals of children to available health and social services. Sometimes a system may also be known as a **NETWORK**.

TRAINING: Instruction received family day care providers on topics such as child development, child abuse identification, program planning, first aid, CPR, health, safety, and business practices. Some states require training prior to licensure and registration, some require on-going training, and others require both. The number of training hours and whether the training is required annually differ among the states.

ZONING: A form of land use restriction which has as its purpose the protection of private property values or neighborhood characteristics. Increasingly becoming a barrier to provision of family day care when local jurisdictions do not allow this care as a permitted use of residence.

1993 FAMILY DAY CARE LICENSING STUDY

Questions and Answers Summary

In this section, the data is presented in a question and answer format. The questions are a few of the questions most frequently asked during the last year. Please refer to The Study itself for the details on each state.

Q - HOW MANY REGULATED FAMILY DAY CARE PROVIDERS ARE THERE IN THE UNITED STATES?

A - The results of our 1993 survey indicate that there are 273,926 regulated family day care providers in the United States. This number includes small and large homes. Of the total, 23,155 are classified as large or group family day care homes (LFCH or GDCH) by their state [*].

[*] In the 1992 Study we reported 34,850. The lower 1993 figure does not signify a drop in the number of family day care homes caring for 7-14 children. Instead it reflects the way in which a particular state identifies the family day care homes in their recordkeeping system. Most of the difference comes from the state of MN. In 1992 we counted 10,160 of their total family day care homes as large or group; however, by own their definition, all of their homes are identified as family day care homes, even though providers may care for up to 14 children.

The National Directory of Family Day Care Associations and Support Groups (CF, 93) shows that providers are represented and/or supported by nearly 1400 associations and support groups throughout the country.

Q - HOW MANY AND WHAT STATES LICENSE, REGISTER, OR CERTIFY FAMILY DAY CARE HOMES?

A - Some states have chosen one form of regulation exclusively while others have use a combination of two or more methods.

Eighteen states, 35%, use licensing exclusively: **AL, AK, CA, CO, DC, IL, IN, MA, MN, MO, ND, NH, NM, NV, OK, UT, WA, and WY.**

Thirteen states, 25.5%, use a combination of registration and licensing: **FL, HI, KS, ME, MI, NC, NY, PA, SC, SD, TN, TX, and VT.**

Five states, 10%, use registration exclusively: **CT, GA, MD, MT, and WV.**

Four states, 7.8%, use a combination of certification and licensing: **KY, OH, RI, and WI.**

Two states, 4%, use a combination of licensing and voluntary registration: **AR, and MS.**

Two states, 4%, use self-certification exclusively: **DE and NE.**

Two states, 4%, use voluntary registration exclusively: LA and NJ.

One state, 2%, uses a combination of voluntary registration and certification: OR.

One state, 2%, uses a combination of voluntary licensing and manditory certification: ID.

One state, 2%, uses certification: AZ.

One state, 2%, uses a combination of voluntary and manditory registration: IA.

One state, 2%, uses a combination of voluntary registration, manditory registration, and manditory licensing: VA.

Q - HOW MANY STATES HAVE A PROVIDER/INFANT RATIO OF 1:2 OR 1:3? (The Children's Foundation's definition of infant is a child 24 months or younger; some states use 18, 15, or 12 months.)

A - Thirty-two states, 62,7%, have a 1:2 or 1:3 provider/infant ratio. These states have a 1:2 ratio: AR, CT, DC, IN, KY(Lic), MA, MD, ME, MT, NH, NM, NY, OH, OK, OR, PA, UT, VT, WA, WV, WI, and WY.

HI, MI, RI and NE also have a 1:2 ratio but these states define an infant as a child 18 months and younger.

MN has a 1:2 ratio, but defines an infant as a child 12 months and younger;

AK has a 1:2 ratio, but defines infants as children 30 months and younger.

NV has a 1:2 ratio with children under 12 months but 1:4 for children under 24 months.

CA, IL, NJ have a 1:3 ratio.

In contrast, five states, 10%, have poor provider/infant ratios: GA, LA, NC, and SC are 1:6; and ID is 1:12.

Q - HOW MANY AND WHAT STATES HAVE NO TRAINING REQUIREMENT FOR FAMILY DAY CARE PROVDERS?

A - Eleven states, 21.5%, have no training requirement for providers: AZ (FDCH), CA, HI, ID, IL, LA*, MI, MN, MS, MT, OR, VA (FDCH), and WV. [*only for those participating in CACFP]

Q - HOW MANY AND WHAT STATES REQUIRE ORIENTATION SESSIONS ONLY?

A - Ten states, 19.6%, require orientation sessions only: AZ, CA, HI, MA, MI, MT, OR, TN, TX, and WA.

Q - HOW MANY AND WHAT STATES REQUIRE FIRST AID AND/OR CPR ONLY?

A - Eleven states, 21.5%, only require first aid and/or CPR: AK, CT, DC, GA, IN, MA, NC, NE, NH, SC and WA*. [* only state to require HIV/AIDS training]

Q - HOW MANY AND WHAT STATES REQUIRE TRAINING? HOW MUCH?

A - Requires 4 hours or less per year: FL, NV, and TN; requires 4 hours or less every two years: AL; requires 2 hours every five years: IA; requires 6 hours per year: AR, DE, KY, ME, NJ, NM, UT, and VT; requires 6 hours every two years: SD; requires 8 hours per year: WY; requires 10 hours per year: OK; requires 10 hours every two years: RI; requires 12 hours per year: CO and MO; requires 12 hours every two years: MD and PA; requires 15 hours per year: NY and WI; requires 20 hours per year: TX; requirements vary: KS, OK, and ND.

Q - HOW MANY STATES HAVE A SMOKING POLICY IN FAMILY DAY CARE HOMES?

A - Eighteen states, 35%, allow smoking with varying restrictions: AL, CA, CT, HI, KS, KY(Lic), MD, MA, MI, MO, MT, NE, OK, PA, VA, VT, WA, and WI.

Twenty states, 39%, allow smoking with no restrictions: CO, DE, DC, FL, GA, ID, ID, ME(Lic), MN, NC(FDCH), NH, NJ, NV, OH, OR, RI, SC, SD(FDCH), TN and WY.

Eleven states, 21.5%, do not allow smoking at all: AK, AZ, KY(Cert), ME(Reg), NC(LFDCH), ND, NM, NV (GDCH), NY, TX and UT.

Five states, 10%, provided no information: AR, IL, LA, MS, and WV.

Q - HOW MANY AND WHAT STATES REQUIRE A TB SCREENING FOR POTENTIAL PROVIDERS? HOW MANY REQUIRE THE SAME FOR OTHER ADULT MEMBERS LIVING IN THE HOUSE?

A - Nineteen states, 37%, require a TB screening: AK, AZ(DHS), CA, CT, FL, HI, KY, MA*, MI, NC, NJ, NM, NV, NY, OK, PA, SD, VA and WY; seven states, 13.7%, also require other adult members in the house to screened for TB: AZ(DHS), CT, KY, MI, SD, VA, and WY. [*also requires MMR verification].

Q - HOW MANY AND WHAT STATES REQUIRE PHYSICAL EXAMINATIONS FOR POTENTIAL PROVIDERS? HOW MANY REQUIRE THE SAME FOR OTHER ADULT MEMBERS IN THE HOUSE?

A - Thirty states, 59%, require physical exminations: AL, AZ(DES), AR, CO, CT, DE, DC, HI, IA, IL, KS, MA, MD, MI, MN, MO, NC, NE, NH, NJ, NY, PA, RI, SD, TN, UT, VA, WI, WV, AND WY; eleven states, 21.5%, also require other adult members in the house to have physical examinations: AR, CO, CT, DE, DC, IA, IL, MD, MN, MO, AND WY.

Q - HOW MANY AND WHAT STATES REQUIRE PROVIDERS TO CARRY SOME FORM OF LIABILITY INSURANCE?

A - Twelve states, 23.5%, require liability insurance as follows: AZ(DHS), CA, KY(Lic), MD, MI, MT, NV, PA(GDCH), AND VT; for transportation only: OK, TN, and WA.

Two states, 4%, strongly recommend it: MN and WY.

Twenty-five states, 49%, have no liability insurance requirement: AK, AL, AR, AZ(DES), CO, CT, DC, DE, FL, GA, HI, IL, IN, KY(Cert), MA, MD, MS, NC, NE, NJ, NM, NY, OR, VA, and WI.

No information is available from: IA, ID, KS, LA, ME, ND, NH, OH, RI, SC, SD, TX, UT, and WV.

Q - HOW MANY STATES HAVE SEPARATE REGULATIONS REGARDING SPECIAL NEEDS CARE?

A - Only nine states, 17.6%, have any specific regulations regading the care of special needs children; AR, CT, GA, ME, MT, NH, NM, OH, and PA. Three additional states are considering regulations: IL, MA and VT.

Q - HOW MANY STATES HAVE SEPARATE REGULATIONS REGARDING SICK CHILD CARE?

A - Thirty-two states, 72.5%, have some kind of regulations regarding sick child care. These states are: AK, AZ, AR, CA, CO, CT, DE, FL, GA, IA, IL, IN, KS, KY, MA, ME, MI, MO, MS, NM, NC, ND, NV, OH, OK, OR, PA, RI, SC, SD, TX, UT, VA, VT, WA, WI and WY. Of these only DE and MO have regulations for homes that are expressly for sick children only. In development: NY.

REGULATORY REQUIREMENTS FOR SMALL FAMILY DAY CARE PROVIDERS

State	Type of Regulation	Children Allowed in the Home
Alabama	licensing	1-6
Alaska	licensing	5-6 (1-4 exempt)
Arizona	certification -DES -DHS	 1-4 (1-4 exempt)
Arkansas++	voluntary registration licensing	1-5 6 or more
California	licensing	1-6
Colorado	licensing	1-6 + 2 (B&A School)
Connecticut	registration	1-6 + 3 (B&A School)
Delaware	self-certification	1-6
District of Columbia	licensing	1-5
Florida	licensing (if getting public funds) registration	1-5 + 5* (B&A School)
Georgia	registration	3-6 (1-2 exempt)
Hawaii	registration	1-6
Idaho	voluntary licensing	1-6
Illinois++	licensing	4-8 (1-3 exempt)
Indiana	licensing	6 or more (1-5 exempt)*
Iowa	voluntary registration	1-6

Kansas	registration licensing	1-6*
Kentucky	voluntary certification	1-3
	manditory certification	4-6
Louisiana	voluntary registration (to receive state/federal funds)	1-6
Maine	licensing/registration (provider's choice)	3-8* (1-2 exempt)
Maryland	registration	1-8
Massachusetts	licensure	1-6
Michigan	registration	1-6
Minnesota	licensing	1-9*
Mississippi	voluntary registration	1-5
Missouri	licensing	1-10
Montana	registration	1-6
Nebraska	self-certification	1-8 + 2 (B&A School)
Nevada	licensing	5-6 (1-4 exempt)
New Hampshire	licensing	1-6 + 3 (B&A School)
New Jersey	voluntary registration	1-5 + 3*
New Mexico	licensing	5-6 (1-4 exempt)
New York	registration	3-6 (1-2 exempt)
North Carolina	registration	3-5 + 3 (B&A School) (1-2 exempt)
North Dakota	licensing	6-7 + 2 (B&A School) (1-5 exempt)

Ohio	certification, if getting public funds	1-6
Oklahoma	licensing	1-7
Oregon	voluntary registration	1-10*
Pennsylvania	registration	4-6 (1-3 exempt)
Rhode Island	certification	1-6*
South Carolina	licensing/registration (if getting state/federal money, provider's choice)	1-6
South Dakota	registration, if getting public funds	1-12
Tennessee	licensing (& registration demonstration model)	1-7
Texas	registration	1-6 + 6 (B&A School)
Utah	licensing	4-6 (1-3 exempt)
Vermont	registration, if children from more than 2 families	1-6 + 4 (B&A School)
Virginia	voluntary registration or manditory through city/county DSS or state approved systems	1-5*
Washington	licensing	1-6*
West Virginia++	registration, if getting federal funds,	1-6
	otherwise	4-6 (1-3 exempt)
Wisconsin	certification, if getting public funds	1-3
	licensing	4 or more
Wyoming	licensing	1-6

* See individual state listing for breakdown by ages, or other exceptions.
++ 1992 information.

REGULATORY REQUIREMENTS FOR LARGE FAMILY DAY CARE PROVIDERS

State	Type of Regulation	Children Allowed in the Home
Alabama	licensing	7-12
Arizona	certification - DHS	10-15*
Arkansas++	licensing	8-16
California	licensing	7-12
Colorado	licensing	7-12
Connecticut	registration	7-12
Delaware	self-certification	7-11
Hawaii	licensing	7 or more*
Idaho	certification	7-12*
Illinois++	licensing	9-12
Indiana	licensing	6-12*
Iowa	registration	7-11
Kansas	licensing	10-12
Kentucky	licensing	7-12
Maine	licensing	8-12*
Michigan	licensing	7-12
Minnesota	licensing	10-14
Mississippi	licensing	6-15
Montana	registration	7-12
Nebraska	self-certification	9-12*
Nevada	licensing	7-12
New Hampshire	licensing	7-12
New Mexico	licensing	7-12

The Children's Foundation 5/93

New York	licensing	7-12
North Carolina**	registration	6-15*
North Dakota	licensing	8-18*
Ohio	licensing	7-12
Oregon	certified	7-12*
Pennsylvania	licensing	7-12
Rhode Island	licensing	7-12
South Carolina	licensing	7-12*
South Dakota	licensing	13-20
Tennessee	licensing	8-12
Texas	licensing	7-12
Utah	licensing	7-12
Vermont	licensing	7-12
Virginia	licensing	9-12*
Washington	licensing	7-12
Wyoming	licensing	7-11

[The following states have no provision for Large or Group Family Day Care Homes: AK, DC, FL, GA, LA, MD, MA, MO, NJ, OK, WV++, and WI.]

* See individual state listing for breakdown by ages, and other exceptions.
++ 1992 Information.

ALPHABETICAL STATE BY STATE BREAKDOWN OF FAMILY DAY CARE REGULATIONS

ALABAMA

Information
Supplied By: Ms. Liz Taylor
Dept. of Human Resources, ODCCD
50 Ripley St.
Montgomery, AL 36130
PHONE: (205) 242-1425
FAX: (205) 242-0939

Number of Homes

-3,592 family day care homes.

Regulations and Requirements

-Requires licensing; no fee; renewal every two years.
-Staff/child ratio is 1:6; family members not included.
-Liability insurance not required.
-Substitute caregiver system required before licensing; substitute caregiver not required to be licensed.
-Homes inspected before license is granted; subsequent on-site visits annually; no advance notice required for on-site visit.
-No space requirement.
-Provisions for GDCH have been set. Have group day care homes with 2:12 ratio.

Training and Orientation

-Licensing includes a training requirement. Four hours of training every two years, documentation required.
-Orientation for prospective providers not required but is conducted in some counties.

Provider Qualifications

-Provider must be at least 19 years old.
-Provider required to have physical exam initially and every four years.
-Family members must have physical exam initially if they are involved with the child care and every four years thereafter.
-Three written references required before licensing.
-No criminal record checks are done unless the provider or anyone in the household admits to being convicted of a criminal offense.

Complaint Procedure

-To file a complaint, contact the county DHR responsible for licensing.
-When an allegation is filed, county DHR worker visits, unannounced, to investigate the allegation.
-Depending upon severity, consequences could lead to a probationary permit, suspension, or revocation of the license.

Discipline Policy

-Corporal punishment prohibited.

Immunization Policy
-Children in family day care homes are required to have age appropriate immunizations. Provider's responsibility to see that child's immunization record is current and accurate.

Nutrition Policy
-AL Department of Education is state sponsor for USDA CACFP.
-FDC and Group Homes must provide nutritious meals and snacks each day.

Smoking Policy
-Smoking is allowed with restrictions; in FDC it may not take place in the presence of children, in area of food storage, preparation or service; in Group Homes, not in the presence of children.

Emergency Medical Consent Policy
-Providers are required to have parents sign emergency medical forms, but it is not required that these forms be notarized.

Infant Care Programs
-No special regulations

Sick Child Care Programs
-No special regulations

Special Needs Care Programs
-No special regulations

Before and After School Programs
-Licensing law prohibits any time overlap period when before and after school children are integrated into homes caring for preschool children. Child/staff ratios must be maintained at all times.

National Life Safety Fire Code
-Not adopted.

Zoning
-Day care homes must comply with local ordinances.

Available Resources
-Child Nutrition Program, County Day Care Coordinating Councils, orientation/training provided by some counties, information on local, state and national organizations.

Local Contact
-County Department of Human Resources.

Pending Legislation
-Amendment to the Child Care Act would require the home to be the residence of the licensee.

ALASKA**

Information Supplied By:

Jeanie Henry
DHSS - DFYS
P.O. Box 110630
Juneau, AK 99811-0630
PHONE: (907) 465-3207

Number of Homes

-425 family day care homes
-300 family day care homes on military installations

Regulations and Requirements

-Licensing required for 5 or more unrelated children; no fee.
-Licenses renewed biennially through reapplication/annual monitoring.
-Family Child Care Home (FCCH) provider may care for maximum of 8 children; maximum of 3 may be under 30 months of age, regardless of ages of other children cared for.
-Liability insurance not required.
-Substitute providers may be arranged; substitutes must meet same requirements as primary providers unless substitutes are providing care in the case of an emergency. There must be emergency care arrangements.
-Inspections of day care homes occur before licensure; subsequent visits annually - announced and unannounced visits occur.
-Family Child Care Group Home (CCGF) with 2 caregivers may care for 9-12 children; only 5 under 30 months; only 4 non-ambulatory.

Training and Orientation

-FCCH and CCGH providers must have first aid and CPR training prior to licensure.
-Orientation is provided for potential providers who reside in large communities - licensing regulations, licensing process, and a time for questions and answers included in orientation.
-Training is offered by some profit and nonprofit groups in the more populated sections of Alaska; difficult to have uniform training regulations because of the population dispersement in the state.
-Special training offered for providers who include disabled children/infants in their care.
-5 hours training per year required.

Provider Qualifications

-FCCH and CCGH provider must be 18 years old; CCGH administrator: 21 years; FCCH administrator: 18 years.
-Physical exams required of prospective providers only if deemed necessary; TB test is required.
-Three positive written references required.
-Potential providers and other adults in home must sign statement verifying that they have no criminal record.
-Access to arrest data is planned.

-Fingerprinting is required for CCGH administrator.
-Criminal history background check, state and federal, required for group home administrators.

Complaint Procedure
-To file a complaint, report to the AK Division of Family and Youth Services.
-When an allegation has been filed, DFYS investigates; may inspect facility (announced or unannounced), review records; interview staff, children, parents; seek a search warrant.
-Consequences depend upon the seriousness of the violation and can include anything from a plan of correction to revocation of license.

Discipline Policy
-Corporal punishment limited and written requires parental consent and a report to the parent of each spanking given.

Immunization Policy
-Homes must keep immunization records for each child in care.

Nutrition Policy
-Complies with CACFP guidelines.
-USDA CACFP sponsored by AK Department of Education.

Smoking Policy
-Smoking is not allowed whenever child care is provided.

Emergency Medical Consent Policy
-Parents are required to sign emergency information cards, but giving emergency medical consent is optional; they are not required to be notarized.

Infant Care Programs
-No special regulations.

Sick Child Care Programs
-A child care facility may not admit a child who shows symptoms of serious illness or highly communicable disease.
-Shall notify parent if child becomes too ill to remain in facility so child may be picked up as soon as possible.
-A facility that allows mildly ill child to remain in facility shall:
  -provide a place where child may rest or play quietly apart from other children, yet under adult supervision.
-A facility shall inform parent if child is exposed to communicable disease or contagious conditions.

Special Needs Care Programs
-No special regulations

Before and After School Programs
-No special regulations.
-No overlap period allowed when integrating before and after school children in home caring for preschoolers; required child/staff ratios maintained at all times.

National Life Safety Fire Code
-Not adopted.

Zoning
-FCCH and CCGH must comply with local ordinances.

Available Resources
-Orientation, technical assistance.

Local Contact
-Alaska Division of Family and Youth Services, Department of Health and Social Services, (907) 465-3207.

Pending Legislation
-None.

**Information not re-verified.

ARIZONA

**Arizona has two regulatory agencies for family child care: The Department of Economic Security regulates providers caring for 1 - 4 children at a time for compensation. The Department of Health Services regulates providers caring for 5 - 10 children for compensation. Each agency is listed separately.

Number of Homes

-1,395 DES family child care homes
-125 DHS group day care homes

**ARIZONA DEPARTMENT OF ECONOMIC SECURITY

Information Supplied By:

Judie Chalfin
Child Care Provider Policy Specialist
Department of Economic Security (DES)
Child Care Administration, Site Code 801A
P.O. Box 6123
Phoenix, Arizona 85005
PHONE: (602) 542-4259
FAX: (602) 542-4197

Regulations and Requirements

-FDCH caring for DES-subsidized children must be certified; no fee. DES certification is renewable each year. Exception: Those clients qualifying under FSA, At-Risk and CCDBG requirements may elect to use the services of relative providers who are not certified with DES.

-FDCH provider may be certified by DES to care for a maximum of four children at a time, not related to the provider, from birth through age 12 for compensation.

-FDCH must indemnify, and save harmless the State of Arizona and its departments, agencies, boards and commissions and all officers, agents, and employees from any and all claims, demands, suits, actions, proceedings, loss, cost and damages of every kind and description including any attorney's fee and/or litigation expenses, which may be brought or made against or incurred by the State of Arizona on account of loss of or damage to any property or for injuries to or death of any person, caused by, arising out of, or contributed to, in whole or in part by reasons of any alleged act, omission, professional error, by it, any employee, agent, or any representative or subcontractor, their employees, agents, or representative or subcontractor, their employees, agents, or representatives in connection with or incident to the performance of the Agreement.

-FDCH shall name the State of Arizona as an additional insured.

-Names of substitute caregivers must be submitted to DES upon certification of family child care providers; these caregivers are back-up providers and must have criminal record check and be finger printed.

-Home inspections occur prior to certification; there are subsequent quarterly visits, announced or unannounced.
-Space requirements: No specific square footage requirements for certification of family child care homes; family child care home space must be adequate. The certification worker may decide to reduce the number of children allowed to be cared for in the home because of size of the home, size of the rooms, etc.

Training and Orientation

-No training is required by DES at this time; voluntary training is available.
-Orientation session is required for DES and DHS prospective providers.

Provider Qualifications

-FDC provider must be at least 18 years of age.
-Physical exam required before provider can operate FDCH.
-Three references required.
-Criminal record check and fingerprint check required of prospective provider and family members and other household residents age 18 or older and back-up providers; fee is presently $23/person which provider must pay.

Complaint Procedure

-All complaints against family day care homes that have a registration agreement with DES are logged and investigated by DES as warranted. Complaints alleging abuse or neglect of children are referred to and investigated by Child Protective Services. On-site investigations are conducted in any complaint which seriously affects health and safety of children in care or which presents immediate danger to children. On-site visits may be announced or unannounced as appropriate to the situation.
-Immediate consequences may result in suspension which involves removal of all DES-subsidized children for the length of the investigation and may result in revocation of certification.

Discipline Policy

-Corporal punishment prohibited.

Immunization Policy

-Immunizations and record of them required, or exemption affidavit.
-Provider required to maintain current records.

Nutrition Policy

-AZ Department of Education is state sponsor for USDA CACFP.
-Provision of nutritious meals and snacks to children in family day care is required.

Smoking Policy

-Smoking is allowed; although not specified in our rule, we presently try to limit smoking to areas not occupied by children.

Emergency Medical Consent Policy

-Forms required, but do not have to be notarized.

Infant Care Programs
-DES certified family day care provider may care for no more than 2 children under age 2 at any one time.

Sick Child Care Programs
-No special DES regulations. DES FDCH certification policy allows care of a child with a contagious illness when plans are based on competent medical advise and other children will not be endangered. A child who becomes ill while in care is to be isolated. The provider must notify the parent or responsible person as soon as possible. Provision of medical treatment is the responsibility of the parent/guardian. Emergency medical care plans are to be worked out between the parent and provider.

Special Needs Care Programs
-No special regulations.

Before and After School Programs
-No special regulations

-No regulations which provide for time overlap for before and after school children; child/staff ratios must be maintained at all times.

National Life Safety Fire Code
-Not adopted.

Zoning
-FDCH must comply with local ordinances; local jurisdictions responsible for enforcement.

**ARIZONA DEPARTMENT OF HEALTH SERVICES REGULATIONS

Information Supplied By:	Julie Ramsey, Licensing Specialist DHS, Office of Child Day Care Licensing 100 West Clarendon Phoenix, AZ 85013 PHONE: (602) 255-1272 FAX: (602) 255-1135

Regulations and Requirements
-DHS certifies group homes in Arizona. These certified group home providers may care for up to ten children from birth through age 12 not related to the provider, at any one time, and there may be a total of 15 children in care at one time, including children related to provider.

-Provider who cares for 5-10 children at a time for compensation (residential facility) certified as a Group Home or a provider caring for more than 10 children for compensation (residential facility); more than 4 (non-residential) must be licensed by DHS.

-One caregiver for each five children; no age specific child/staff ratios.

-Certification good for 3 years; fee $30.

-Minimum of 3 inspections during the first year; minimum of 2 unannounced per year thereafter.
-Liability insurance required with a minimum limit of $100,000.
-Space requirements: inside - 30 sq. ft. open space per child; outside - 80 sq. ft. fenced space per child.
-Fire and gas inspection.
-Minimum program and equipment standards.
-Special swimming pool requirements.
-Play area must be fenced.
-Complaint investigation.

Training and Orientation
-Current CPR and child care first aid required.
-9 hours annual training required.
-Health and safety orientation required.

Provider Qualifications
-High school or equivalent required.
-Minimum age requirement for provider is 21.
-References on all staff required.
-TB skin tests required for all providers and household members.
-All adults in home and staff required to be finger printed, registered with department, and background checked.

Complaint Procedure
-To file a complaint, the department must be contacted in writing, in person or orally.
-When a complaint is filed, an unannounced monitoring visit is made; information is gathered by interviewing the provider and concerned parties; a detailed report is compiled.
-The immediate consequences are more frequent monitoring, enforcement meetings, hearings and revocation of certificate.

Discipline Policy
-Corporal punishment prohibited.

Immunization Policy
-Immunizations and record of them required or exemption affidavit.
-Provider required to keep current records.

Nutrition Policy
-AZ Department of Education is state sponsor for USDA CACFP.
-Requires a varied menu of foods from within each food group to be served; minimum meal components and serving sizes as established by the National Research Council (RDA).

Smoking Policy
-Smoking is not allowed while providing child care.

Emergency Medical Consent Policy
-Forms required, but do not have to be notarized.

Infant Care Programs
-No separate regulations.

Sick Child Care Programs
-Provider shall not accept or allow ill children. A child who becomes ill while in care is to be isolated. Provider must notify parent or the responsible person as soon as possible.

Special Needs Care Programs
-No separate regulations.

Before and After School Programs
-No separate regulations.
-No provision for overlap time; child/staff ratios must be maintained.

National Life Safety Fire Code
-No adopted.

Zoning
-Must comply with all local ordinances; local jurisdictions responsible for enforcement.

Information for Both DES and DHS

Available Resources
-Arizona Association of Family Day Care, Southern Arizona Family Child Care Association, local child care resource and referral organizations.

Local Contact
-Day Care Group Home Certification - Department of Health Services, Office of Child Day Care Licensure.
-Family Day Care Home Certification - Department of Economic Security, Division of Children and Family Services, Child Care Admin.

Pending Legislation
-1992 Zoning pre-emption bill introduced into the House.

ARKANSAS++

Information
Supplied By: Virginia S. Reid
Div/Children and Family Services
P.O. Box 1437, Slot 720
Little Rock, AR 72202
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FAX: (501) 682-8666

Number of Homes

603 licensed family day care homes
940 registered family day care homes
60 (approximate) large family day care homes

Regulations and Requirements

- -Licensing required if provider cares for 6 or more children from more than one family; fee is $15 annually and goes to Child Care Provider Training Fund; license renewed bi-annually.
- -Voluntary Registration for homes exempt from licensure (caring for 5 or less children).
- -One provider may care for up to 10 children in FDCH if all are over age 3.
- -If 2 children are under age 2, maximum of 7 permitted in FDCH.
- -Preschool family members included in all ratio numbers.
- -Liability insurance not required, highly recommended.
- -Substitute caregivers required before licensing; do not have to be licensed.
- -FDCH inspected before licensure; subsequent inspections 4 times per year conducted at random, announced and unannounced.
- -Space requirements: 35 sq. ft. indoors; 75 sq. ft. outdoors.
- **-Large Family Day Care Homes:**
  - -Can be licensed for up to 16 children.
  - -Provider/child ratios:
    - 2: 11-14 (with no more than 4 children under 2 years).
    - 2: 15-16 (with no more than 2 children under 2 years).
  - -Health and fire approvals mandatory when licensed for more than 10.

Training and Orientation

- -Six hours of training annually is required.
- -No formal orientation program for potential providers.
- -Self-instructional Child Care Training Modules available from the Division.

Provider Qualifications

- -FDC provider must be 21 years of age or older; some exceptions granted after special consideration.
- -Annual physical exam required of provider and adult family members living in home.
- -Three written references required for licensing.
- -No criminal record checks or fingerprinting required, but is highly recommended.

Complaint Procedure
-No information available.

Discipline Policy
-Corporal punishment prohibited for children.

Immunization Policy
-All children must have age appropriate immunizations prior to attending a family day care home.

Smoking Policy
-No information available.

Nutrition Policy
-No information available.

Emergency Medical Consent Policy
-Form is required, but it does not have to be notarized.

Infant Care Programs
-No special regulations.

Sick Child Care Programs
-Regulated by use of "Alternative Compliance." Process of development of standards is anticipated for completion within one year.

Special Needs Care Programs
-No special regulations.
-Staff/child ratios require increased staff to meet child's needs.

Before and After School Programs
-No special regulations.
-Providers are allowed 2 school age children above capacity for a short term before and after school.

National Life Safety Fire Code
-Not adopted through licensing; state enforces for more than 10 children.

Zoning
-FDCH must comply with local ordinances.

Available Resources
-No information available.

Local Contact
-Division of Children and Family Services.

Pending Legislation
-None.

++This is the same information as reported in the 1992 Family Day Care Licensing Study. No new information was received prior to publication date.

CALIFORNIA

Information
Supplied By: Bob Markell
Dept. of Social Services, CCLD
Central Operation Branch
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FAX: (916) 323-8352

Number of Homes

-44,720 family day care homes
-8,000 (approximate) large day care homes

Regulations and Requirements

-All Family Day Care Homes:
- -With some exceptions providers must be licensed; $25 application fee for family day care homes; $50 for LFDC homes, paid on a yearly basis.
- -Licensing requires an announced inspection before a license is granted; subsequent unannounced visits every 3 years and on the occasion of a complaint.
- -Unannounced visits are made to an additional 10% of FDCH's annually. - -Regulations include section on parental involvement, which states that parents have access to their children at any time.
- -Space requirement: None.
- -Liability insurance: Following alternatives must be followed:
  1) Aggregate amount of $300,000 with at least $100,000 per occurrence, or
  2) $300,000 bond (annual aggregate), or
  3) Signed affidavit from each parent acknowledging that provider has neither insurance nor a bond.
  4) If the FDCH provider does not own the premises in which care is provided, the provider must advise the parents that the owner of the property or the homeowner's association may not provide insurance coverage for losses arising in connection with the FDCH.
- -Working fire extinguisher & smoke alarm that meet Fire Marshall's standards.

-Family Day Care Homes: Maximum capacity - 6.
- -Staff/child ratio in FDCH is 1:6, with no more than 3 infants including the licensee's own children under the age of 10, or no more than 4 infants only.

-Large Family Day Care Homes: Maximum capacity - 12.
- -Staff/child ratio is 2:12, assistant must be at least 14 years of age; No more than 4 infants; includes licensees own children under the age of 10.
- -Required to have a fire clearance from the State Fire Marshall or local fire jurisdiction.
- -Required to have one year experience as a regulated small FDC provider or as an administrator of a licensed day care center.

Training and Orientation

-No training required, voluntary training programs are available.

-Orientation sessions for FDC and LFDC providers conducted by district and county licensing offices; consists of an overview of licensing procedures, regulations, and community services.

Provider Qualifications

-Provider must be at least 18 years old.

-No physical exam except a TB test is required.

-Criminal record check, fingerprinting and a Child Abuse Index check are required for every person 18 years of age or over who lives, or is regularly present in the provider's home; no fee for the fingerprint check, but there is a $15 fee for the Child Abuse Index check conducted by CA Department of Justice.

Complaint Procedure

-May be in writing, by phone or in person.

-When a complaint is filed, unannounced complaint visit is made within 10 days of receipt.

-Consequences: Citation of deficiency cited with plan of correction developed; failure to correct may result in a civil penalty assessment of $25.

Discipline Policy

-Corporal punishment prohibited; no written guidelines for discipline; methods of discipline discussed at orientation and before licensing occurs.

Immunization Policy

-Prior to enrollment, all children must be immunized.

Nutrition Policy

-CA Department of Education, Child Nutrition and Food Distribution Division is state sponsor for USDA CACFP.

-Children shall receive safe, healthful and comfortable accomodations, furnishings and equipment.

Smoking Policy

-Current law permits a city or county to enforce its smoking ordinances in family day care homes; legislation currently proposed would ban smoking in both family day care homes and centers with enforcement responsibility resting with the licensing agency.

Emergency Medical Consent Policy

-Form is required, but it does not have to be notarized.

Infant Care Programs

-No special regulations.

Sick Child Care Programs

-If child shows signs of illness, the child shall be separated and nature of illness determined.

-If a communicable disease is determined, then the child shall be separated until the infectious stage is over.

Special Needs Care Programs

-No special regulations.

Before and After School Programs

-No special regulations.
-No policy regarding overlap time for integration of school age children.

National Life Safety Fire Code

-Not adopted.

Zoning

-FDCH considered residential use of property for purposes of zoning.
-Law prohibits specific zoning against LFDCH, but are subject to special use permits in some areas. Fees have ranged from $300-1,600.

Available Resources

-During the license orientation, resource and referral staff advise what services they offer to FDCH; further district offices advise local R&R of newly licensed FDCH; state and local family day care associations.

Local Contact

-The state contracts with 15 counties to perform the licensing tasks for family day care. If a county contracts with the State of California, the potential family day care provider would contact the County Welfare Department; otherwise they would have to contact the nearest CA Comm. Care Licensing District Office.

Pending Legislation

-Numerous pieces of proposed legislation dealing with health care training, prohibition of smoking, prohibition of using baby walkers, creation of a Bond Act to provide monies for builing and/or renovation of child care facilities.

COLORADO**

Information
Supplied By: Dana D. Andrews, Licensing Adm.
DSS - OCC Services - Licensing
1575 Sherman Street
Denver, CO 80203-1714
PHONE: (303) 866-5958
FAX: (303) 966-2704

Number of Homes

-6,599 family day care homes
-20 group day care homes

Regulations and Requirements

-Licensed - providers who care for 2 or more children from more than 1 family on a regular basis; fee is $15, used to fund State child care licensing staff positions.
-Staff ratio is 1:6 including family members plus an additional 2 before and after school children; infant toddler home staff child ratio is 1:4.
-Liability insurance not required, except if state pays for case of children.
-FDCH inspected before licensing: 1 subsequent visit a year or whenever there is a complaint.
-Substitute caregiver required; need not be licensed.
-Licenses renewed biennially through renewal application.
-Space requirements: inside - 35 sq. ft. per child; outside - 75 sq. ft. per child.
-Group Day Care Homes:
  -Staff ratio is 1:6
  -Licensing fee is $15.

Training and Orientation

-FDCH: 12 hours of training and first aid and infant/child CPR certification required when initially licensed (must be kept current); 12 additional hours of training required for every two years.
-GDCH: 40 clock hours of training. 3 years experience in group care homes or as a licensed day care provider or 2 years college education plus one year experience in group care homes or certification as a Child Development Associate (CDA) or 40 clock hours of training and 2 years experience as a licensed day care provider and 2 years experience on a group day care home.
-Orientation for prospective providers not required but occurs in some counties.

Provider Qualifications

-Provider must be at least 18 years old.
-Initial physical exam followed by biennial exams required of provider and family members in day care home.
-Three written references required.
-Name of provider and persons living in home are screened with the child abuse registry.

-Criminal record check required of provider and any member of provider's family or employee in the FDCH that is 18 years of age or older.
-If provider (or employee or family member) has lived in the state less than two years, then FBI criminal records check required.

Complaint Procedure

-To file a complaint, call the Office of Child Care Services at (303) 866-5958.
-When a complaint is filed, an unannounced visit occurs; seriousness of the allegation will determine response time; only licensing violations are investigated.
-Immediate consequences are that violations must be corrected within a set time frame; intermediate consequences are that license can be changed to probationary and/or fines can be assessed; long term - license can be revoked.

Discipline Policy

-Corporal punishment prohibited; discipline must be constructive or educational.

Immunization Policy

-State regulations do not require children to be immunized; provider is responsible for maintaining the information.
-Information on the state immunization law is provided by the CO Department of Health and handed out by licensing workers.

Nutrition Policy

-CO Department of Health sponsors USDA CACFP.
-Two wholesome nutritious snacks and noon meal must be served; special arrangements must be made for children in care before 6 AM and after 6 PM; meals must be balanced and include four food groups; children shall not be given food that is contrary to religious beliefs; pasteurized milk should be served.

Smoking Policy

-Smoking is allowed with no restrictions.

Emergency Medical Consent Policy

-Forms are required; but they do not have to be notarized.

Infant Care Programs

-May care for no more than 2 children under two years of age in a family day care home.

Sick Child Care Programs

-No special regulations; sick child care is not allowed in group care situations.

Special Needs Care Programs

-No special regulations

Before and After School Programs

-No special regulations.
-State allows 2 additional school age children during non-school times in addition to regular capacity of six.

National Life Safety Fire Code

-Large Family Day Care Homes (6-12 children) must have a local fire inspection. Fire Departments in Colorado generally use the National Life Safety Fire Code.

Zoning

-FDCH and LFDCH must comply with local ordinances; may include special use permit and/or fee.

Available Resources

-Prospective providers in some counties can attend an orientation that tells them about food programs, resource and referral, and local associations; this information is also in written form in the original licensing packets which providers receive.

Local Contact

-CO Department of Social Services or local contract agency, or regionally located state licensing worker.

Pending Legislation

-Rule change would require parents to have access to the day care homes and their children at all times children are present for child care.

** Information not re-verified.

CONNECTICUT

Information Supplied By:	Richard Charnick Department of Human Resources Day Care 1049 Asylum Avenue Hartford, CT 06105-2431 PHONE: (203) 566-3800 FAX: (203) 566-3039

Number of Homes
-5,877 family day care homes
-81 group day care homes

Regulations and Requirements
-Registration required for FDCH; annual fee is $10, goes to state general fund.
-Registration renewed annually through provider self-declaring compliance with all regulations and reapplication.
-Staff/child ratio is 1:6 including provider's children not in school full-time; maximum of 2 infants per provider. May have total of 6 infants, including provider's own, if an approved assistant (must meet Agency qualifications) is present at all times.
-In addition to 6 full-time children, may have up to 3 school age children for up to 3 hours before and after school.
-Liability insurance not required.
-Substitute caregivers must pass screenings similar to providers.
-Day care homes are inspected before registration; subsequent unannounced monitoring visits to 1/3 of the homes each year.
-Space requirements: none.
-**Group Day Care Homes:**
  -Regulated by Department of Health.
  -7-12 children; maximum of four infants to one caregiver; maximum group size of eight.
  -Space Requirements: 35 square feet inside; 75 square feet outside per child.

Training and Orientation
-First aid training (child care course) will be required with new regulations.
-GDCH providers must show evidence of continuing education (minimum of one activity per year).

Provider Qualifications
-Providers must be at least 20 years old.
-Initial and biennial physical exams and negative TB test required of provider; adult household members must have initial exams and negative TB test; children in family must have annual exams and current immunizations.
-References required.
-Protective services records checked for provider and adult household members and staff.

-Criminal record check with state police required of provider and adult household members and staff at no cost to provider.

Complaint Procedure

-To file a complaint, call local DHR office or write; can be anonymous and the agency will investigate.
-When a complaint is filed, there is always an unannounced home visit to discuss complaint and inspect premises; statement to provider regarding the findings; corrective action plan or proposed revocation or suspension when warranted.
-Public will be informed upon inquiry; corrective action plan with deadline; summary suspension; revocation; and $100/day civil penalty. This information will be available to public once new regulations are passed.

Discipline Policy

-Corporal punishment prohibited; positive behavior management techniques are described.

Immunization Policy

-New regulations define children's schedule of immunization; provider is required to verify that both day care children and resident children are current prior to enrollment.

Nutrition Policy

-CT Department of Education is state sponsor for USDA CACFP.
-Regulations speak to this as a requirement; all FDCH's are informed about nutrition programs.

Smoking Policy

-Smoking is allowed; however, not while making direct physical contact with a child.

Emergency Medical Consent Policy

-Forms are required, but they do not have to be notarized.

Infant Care Programs

-Ratio and areas of programming and health described.

Sick Child Care Programs

-Allowed in specific circumstances.

Special Needs Care Programs

-Individual care plans are required (not written) and regulations nicely support ADA by not breaking out special needs children separately.

Before and After School Programs

-No special regulations.
-Before and after school children should be in the home for no more than three hours each day.

National Life Safety Code

-Agrees with state fire code.

Zoning

-FDCH considered legitimate use of residential property; exempt from codes.
-GDCH must comply with local zoning codes.

Available Resources

-Referral to free R&R service, nutrition sponsors, FDCH associations.
-Professional and training support: Financial aid, CDA 1-800 info, resource centers, Windflower Enterprises/Second Helping, health and safety courses, first aid courses, mentoring, statewide quarterly newsletter, funding to support FDCH conferences, awards to FDCH's, DHR staff as speakers and presenters.
-Resource materials: discipline, activities, business issues, and more.

Local Contact

-District Office of the Connecticut Department of Human Resources.

Other Information

-Vehicles are required to be registered and insured; safety belts required.
-Dogs and cats required to be vaccinated for rabies.

Pending Legislation

-Substantiated against providers will be accessible to the public.
-New regulations addressing sick child care.

DELAWARE

Information
Supplied By:

Jacqueline Whitmer
OCCL - DSCYF
Youth & Family Center
1825 Faulkland Road
Wilmington, DE 19805
PHONE: (302) 633-2700

Number of Homes

-2,061 family day care homes
-30 group day care homes

Regulations and Requirements

-FDC providers must complete self-certification process.
-Licensure renewed annually.
-Provider/child ratio is 1:6, including family members under school age; maximum of 4 children under 2 years of age.
-Liability insurance not required for FDCH.
-FDCH parents must be given copy of family day care regulations and have free access to the areas of the home used for care during day care hours.
-Children can be released only to persons authorized by parent(s) who has placed the child(ren) in care.
-Substitute caregiver required and her/his name, address, and phone number must be on file in provider's home; substitute does not have to be licensed.
-Initial, announced inspection of day care home occurs within 90 days of certification; 20% sample of unannounced annual visits to be reinstituted as caseload size and priorities permit.
-Providers allowed to care for additional 2 children over capacity for up to 2 hours/day due to change in shifts or school age care.
-Group Day Care Homes:
  -Ratio: 7-11 children permitted with 2 providers.
  -Liability insurance required.

Training and Orientation

-Six hours of orientation/training required for prospective family day care providers.
-Orientation/training curriculum includes: licensure process; review of requirements focusing on caregiver responsibilities, staff-child ratios, health and safety, equipment, program, discipline, food and nutrition, child health, infection control procedures, communicable disease; Business practices; Child development; Equipment and Activities; Provider community support systems. The training is based heavily on a Family Day Care Handbook developed by the University of Delaware for the Department which providers may purchase for a small fee.
-GDCH providers participate in orientation/training with child care center providers.

Provider Qualifications

- -FDCH provider must be at least 18 years old.
- -Initial physical exam required of provider, family members who have direct contact with children, and children under 6 years of age living in the house.
- -Subsequent exams required only if provider or other family member has ongoing health problem.
- -Child abuse registry check done on potential provider and family members before licensure; she/he required to list any criminal offenses he/she has committed as well as those committed by family members.
- -Three written references required.

Complaint Procedure

- -To file a complaint, call or write the Office of Child Care Licensing.
- -Unannounced visits are made with a complaint is filed; additional follow-up visits may be unannounced or announced depending upon the nature of the complaint.
- -Consequences vary depending upon the nature of the complaint; may be corrective action, probation, suspension or revocation.

Discipline Policy

- -Corporal punishment prohibited; positive reinforcement is encouraged as method of child management.

Immunization Policy

- -All children must be immunized; responsibility for seeing they are current is family day care provider.

Nutrition Policy

- -DE Department of Public Instruction is state sponsor for USDA CACFP, local sponsors are Child Care Connection, Child Care Initiatives and Catholic Social Services.
- -Nutritional appropriately scheduled meals and snacks shall be served to the children in care for four hours or more per day; all meals must have at least one item from each of the four food groups; all snacks shall include one item from two of the four food groups.

Smoking Policy

- -Smoking is allowed with no restrictions.

Emergency Medical Consent Policy

- -Form required; but it does not have to be notarized.

Infant Care Programs

- -No special regulations.

Sick Child Care Programs

- -Separate regulations for day care centers and FDCH exist specifically for sick children.
- -In FDCH when a communicable disease occurs, the parent of an exposed child will be notified so that she/he may observe the child.

-In FDCH any child with a fever over 101 F sustained for over 48 hours, vomiting, unexplained rash, and/or severe diarrhea will be excluded.

Special Needs Care Programs
-No special regulations.

Before and After School Programs
-No special regulations.
-Overlap period allowed of no more than two hours during any one time in a day.

National Life Safety Fire Code
-Not adopted.

Zoning
-Family day care homes exempt from zoning regulations in most cases; in few areas, special permit and fee required.

Available Resources
-Resource and referral, family day care provider associations, purchase of care (state subsidized care information), CACFP, and small business development information.

Local Contact
-Either the Wilmington Office of Child Care Licensing or the Dover Office of Child Care Licensing (both in the Department of Services for Children, Youth and Their Families).

Pending Legislation
-None.

DISTRICT OF COLUMBIA**

Information
Supplied By:
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DCRA Service Facility Regulation Adm.
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FAX: (202) 727-7780

Number of Homes

-315 family day care homes

Regulations and Requirements

-Licensing required for FDC providers; fee required
-Provider/child ratio is 1:5, provider/infant ratio is 1:2.
-Maximum of 5 children may be cared for including family members under age 6.
-Liability insurance not required.
-Substitute caregiver system required prior to licensing; substitute must meet same requirements as primary provider.
-Providers must have policy statement which addresses their rules for operating.
-An approved fire drill plan is required.
-Inspections of homes required before licensing; subsequent visits conducted annually - unannounced.
-Space requirements: A minimum of 35 square feet per child inside FDCH.

Training and Orientation

-Emergency first aid training required.
-Orientation recommended for potential providers.
-Orientation includes information on licensing regulations in DC.
-Orientation offered the first Thursday of each month at 614 H Street, NW, Room 309 at 10:00 am; call 727-7226 for additional information.

Provider Qualifications

-FDC provider must be between 18 and 70 years of age; over 70 must request a waiver of the regulations.
-Initial physical exam required of provider; annual exams required of provider and adults in home when children are present.
-Three written references required.

Complaint Procedures

-To file a complaint, telephone or write DCRA/SFRA/SSFD, Room 1031, 614 H St., NW, Washington, DC 20001 (202-727-7226).
-Complaints are prioritized according to the nature; allegations of physical or sexual abuse are referred immediately to the Metropolitan Policy Department for investigation. SFRA makes an unannounced visit to the facility within 24 hours to ascertain the facility's compliance with the regulations, i.e. ensuring proper supervision. Complaints of unlicensed child care activity and those having other serious allegations are investigated within 24 hours. Complaint investigations that require on-site visits are performed on unannounced basis.

-Immediate consequences and penalities for violations in licensed facilities are the issuance of fines for routine infractions or summary suspension of the license which closes a facility immediately. For unlicensed activity, a Cease and Desist Order can be issued as well as a fine levied. Long term penalties for violations can include suspension or revocation of the facility's license or denial of its renewal application.

Discipline Policy
-Corporal punishment not addressed in current regulations, but prohibition is proposed in pending revision.

Immunization Policy
-Children must be immunized; provider is responsible for maintaining complete records, reflecting current immunizations.

Nutrition Policy
-The DC Public Schools is the state sponsoring agency.
-All meals and snacks must been USDA CACFP.

Smoking Policy
-Smoking is allowed, but providers are strongly encouraged not to smoke.

Emergency Medical Consent Policy
-Forms are required, but they do not have to be notarized.

Infant Care Programs
-No separate special regulations.

Sick Child Care Programs
-No separate special regulations.

Special Needs Care Programs
-No separate special regulations.

Before and After School Programs
-No separate special regulation.
-No policy with regard to overlap time; child/staff ratios must be maintain at at times.

National Life Safety Fire Code
-Contact DC Fire Prevention (2020 673-3253.

Zoning
-No zoning requirements.

Available Resources
-Orientations to licensure requirements; preinspections for technical assistance; fire and lead inspections; CACFP; Washington Association for Family Day Care.

Local Contact

-Dept. of Consumer & Regulatory Affairs, Service Facility Regulation Administration, Social Service Facility Division (202) 727-7226.

Pending Legislation

-There are pending revised regulations for all child development facilities including family day care.

** Information not re-verified.

FLORIDA

Information
Supplied By:
Craig Townsend
Dept/Health and Rehabilitative Services
Children, Youth and Families Program Office
1317 Winewood Boulevard
Building 8, Room 211
Tallahassee, FL 32399-0700
PHONE: (904) 488-4900
FAX: (904) 922-4247

Number of Homes

4,088 licensed family day care homes
2,985 registered family day care homes

Regulations and Requirements

- Licensed FDCH may have up to 5 preschool children with one provider; additional before and after school children allowed as long as total number of children in home does not exceed 10, or 7 school-aged with no preschoolers.
- Licensing is required for those who wish to participate in child food programs and/or subsidized child care.
- No distinction between FDCH and LFDCH (all are considered FDCH).
- Homes not required to be licensed must register with Dept. of Health and Rehabilitative Services; these homes are not regulated or monitored but must complete a criminal background and screening clearance plus 3 hours training.
- Homes are inspected before licensing and semi-annually.
- Licenses are renewed annually and require an on-site inspection for compliance with regulations.
- Liability insurance not required for registered or licensed homes.
- All child care facilities licensed after 10/11/92 must have a minimum of 35 sq. ft. of usable indoor play space per child. Facilities licensed on or prior to 10/1/92 are grandfathered in at the existing 20 square feet per child. The 45 sq. ft. requirement for outdoor play space remains the same.
- Child to staff ratio (effective 10/1/92) as follows: Children 0-1 year: 1:4; children 1 year: 1:6; children 2 years: 1:11; children 3 years: 1:15; children 4 years: 1:20; children 5 years: 1:25.

Training and Orientation

- Basic 3-hour training required for licensed FDCH providers which includes the identification of child abuse and neglect. 30 hours of training is required for all child care personnel.

Provider Qualifications

- FDC provider must be at least 18 years old and of good moral character, and must have a TB test.
- Fingerprint check, local, state and Federal criminal record check, and abuse registry clearance required.

-Provides additional registration requirements for family day care homes which include the following: Proof of substitutue care; proof of background checks; proof of training and proof of immunizations.

Complaint Procedure

-To file a complaint, parent, guardian or other party notifies licensing agency; complaint is investigated.

-Necessary corrective action is followed; unannounced visit is usual.

-Consequences: depends on severity; usually corrective action required but an administrative fine is possible.

Discipline Policy

-Corporal punishment prohibited.

Immunization Policy

-Children must be immunized; family day care homes are monitored twice a year for compliance with the standards. Corrective action is imposed for failure to comply.

Smoking Policy

-Smoking is allowed; however there is a current proposal to eliminate smoking in homes while children are present.

Nutrition Policy

-FL Department of Education is state sponsor for USDA CACFP.

-USDA guidelines; additional rules proposed including modified diet, bottle labeling for infants and posting of menus.

Emergency Medical Consent Policy

-Emergency medical forms required, but they do not need to be notarized.

Infant Care Programs

-No special regulations.

Sick Child Care Programs

-If child has a communicable illness, child must be isolated, parents called so they can bring child home.

Special Needs Care Programs

-No special regulations.

-Rule proposed for 1993.

Before and After School Programs

-One special regulation: 7 school aged children can attend a family day care home with no preschoolers in attendance.

-No provision for overlap time for integration of school age into a family day care home caring for younger children. Staff/child ratios must be maintained at all times.

National Life Safety Fire Code

-Is adopted; includes the standards in the LSFC except ratios and square footage.

Zoning

-FDCH are expected to comply with local ordinances. However, a license will be issued as licensing law does not require such compliance.

Available Resources

-DHRS technical assistance, FDCH coordinators for subsidized programs; local associations (check with area licensing authority for referral).

Local Contact

-For 55 counties, the Dept. of Health and Rehabilitative Services; for 12 counties, the county licensing agency.

Pending Legislation

-Requires every child care facility to have at least one staff person with a child development associate credential or equivalent for every 20 children, effective 7/1/95.

GEORGIA

Information
Supplied By:
Marsha A. Gates
Child Care Licensing Section, ORS
878 Peachtree Street, NE, Rm 607
Atlanta, GA 30309
PHONE: (404) 894-5688
FAX: (404) 853-4198

Number of Homes

-5,872 family day care homes

Regulations and Requirements

-Registration for FDCH caring for more than 2 children required; registration via the mail, no fee.
-Provider may care for maximum of 6 children for pay.
-Provider/infant ratio is 1:6.
-Liability insurance not required.
-No initial inspection of day care home required; visits are unannounced; all complaints investigated.
-Space requirements: A minimum of 35 square feet per child inside FDCH; there is no space requirement outside the home.

Training and Orientation

-FDCH: providers must have first aid training.

Provider Qualifications

-Day care provider must be 21 years old.
-Fingerprinting and criminal record check required of provider; family members must also have criminal record check; cost is $23 for fingerprints and $3 for criminal records background check for director and other adults in home.

Complaint Procedure

-To file a complaint, call the child care licensing section.
-When a complaint has been filed, an unannounced inspection is normally conducted.
-Consequences are that providers are given notice of violations and an opportunity to correct. Civil penalties (monetary fines) may be assessed if violations are not corrected; registration can be revoked if children's health and safety is jeapordized.

Discipline Policy

-Corporal punishment prohibited.

Immunization Policy

-Children are required to be immunized; parents are responsible for obtaining immunizations; provider must keep the children's information current.

Nutrition Policy
-GA Department of Education is state sponsor for USDA CACFP.
-Meals and snacks should be nutritious and well-balanced.

Smoking Policy
-Smoking is not mentioned in current family day care home rules; in group homes, smoking is permitted only in non-child care areas.

Emergency Medical Consent Policy
-Form is required; but parents do not have to have it notarized.

Infant Care Programs
-No separate regulations.

Sick Child Care Programs
-Same rules and regulations as for day care centers with variances granted for special rules.

Special Needs Care Programs
-No separate regulations.

Before and After School Programs
-No separate regulations.
-Providers are allowed to care for a maximum of 8 children for 2 hours a day if children are 3 years of age and up.

National Life Safety Fire Code
-Not adopted.

Zoning
-Day care homes must comply with local ordinances.

Available Resources
-None

Local Contact
-Office of Regulatory Services, Child Care Licensing Section, Department of Human Resources.

Pending Legislation
-Family day care regulations in revision process.

HAWAII

Information
Supplied By: Carol Chang
Asst. Program Development Adm.
Department of Human Services
P.O. Box 339
Honolulu, HI 96809
PHONE: (808) 548-2302
FAX: 808-586-7062

Number of Homes

353 family day care homes
5 large family day care homes

Regulations and Requirements

-Registration required; no fee.
-Provider can have up to 6 children; no more than 2 under 18 months. Excludes provider's children who are: 1) 6 years of age or older or; 2) in school or enrolled in a child care facility for more than 6 hours/day.
-Liability insurance not required; providers must inform parents whether it is available or not.
-Homes are inspected before registration; subsequent visits occur annually or whenever there is a complaint. No advance notice of visit is necessary.
-Licenses are renewed annually with recertification forms.
-Space requirements: 35 sq. ft. per child inside; for outdoor space, there shall be in all cases a minimum of 150 sq. ft. and for children 12 months and older, a minimum of 75 sq. ft. per child.
-**Large Family Day Care Homes:**
  -7 or more children with staff ratio of 1:8 for 2 year olds; 1:12 for 3 year olds; 1:16 for 4 year olds; and 1:20 for 5 and older. All children must be over 24 months.
  -Must comply with all center care regulations.

Training and Orientation

-Training is not required; providers encouraged to make an effort to receive training. DHS also has a separate purchase of services contract with the Institute for Family Enrichment, a non-profit training agency) to provide training to active and potential family child care providers. There is no minimum charge for the training which covers health and safety issues, child development and management, and creating a safe and nurturing environment.
-Orientation for prospective providers for whom the department has been able to obtain the services of People Attentive to Children to provide group orientation on a quarterly basis.

Provider Qualifications

-Provider must be at least 18 years old.
-Providers and all household members must have physical exam and clearance for TB before registration. No subsequent exams required. TB clearance required every 2 years.

-Two written references.
-Criminal record checks and fingerprinting done for applicant, usually provider and spouse and all other employees.
-Child abuse background check is also done.
-Provider's employment history for three years preceding application is checked.

Complaint Procedure
-A complaint may be filed by calling the licensing office, Child Protective Services or the police.
-When a complaint has been filed, an unannounced visit is initiated; however, it may follow after the policy or CPS worker conducts his/her investigation.
-Consequences: generally progressive discipline is practiced; i.e., oral, written, sanctions, suspensions, revocation unless children's health and welfare are in immediate danger--then suspension/revocation is indicated.

Discipline Policy
-Corporal punishment prohibited.
-Providers cannot use humiliation or any other method which is injurious, frightening or damaging to the child's health or self-esteem.

Immunization Policy
-Children must be immunized; providers must maintain immunization records on each child.
-Records for school age children available at school; copy of immunization need not be maintained in family child care home.

Smoking Policy
-Smoking is allowed; however, provider must inform parents. Legislation has been introduced to prohibit smoking in all child care facilities during the hours of operation.

Nutrition Policy
-HI Department of Education is state sponsor for USDA CACFP.
-Providers are required to meet USDA recommendations relative to length of time in care, amount and frequency of meals.

Emergency Medical Consent Policy
-Forms are required, but they do not have to be notarized.

Infant Care Programs
-Infant-toddler ratio: 6 weeks to 12 months - 1:3 (group size - 6); 6 months to 12 months - 1:4 (group size - 8); 12 months to 24 months - 1:3 (group size - 6), 1:4 (group size 8), 1:5 (group size 10); 18 months to 36 months - 1:4 (group size 8), 1:5 (group size 10), 1:6 (group size 12).

Sick Child Care Programs
-No separate licensing rules for sick child care.
-Family, Group, and School Age care rules require sick children to be separated.

Special Needs Care Programs
-Special training required for providers with disabled children in their care.

Before and After School Programs

-Child staff ratio is 1:20

-No specific regulations for before and after school only care in FCC.

-No provision for overlap time; child staff ratio must be maintained at all times, regardless of age.

National Life Safety Fire Code

-Not adopted.

Zoning

-FDCH must comply with local ordinances.

Available Resources

-Training, recruitment, technical assistance, food program.

Local Contact

-Local office of the Department of Human Services.

-Street Address: 1001 Bishop Street, Suite 900, Honolulu, HI 96813
Phone: 808-586-7062

Pending Legislation

-None.

IDAHO

Information
Supplied By: Roseanne Hardin, Deputy Administrator
Department of Health and Welfare -DFACS
450 West State Street, 3rd Fl
Boise, ID 83720
PHONE: (208) 334-5700
FAX: (208) 334-6699

Number of Homes

-145 family day care homes
-543 group day care homes ++

++[Not included are day care group homes in the cities of Coeur D'Alene, Sandpoint, Lewiston, Boise, Pocatello, Chubbuck, Moscow that have their own day care licensing ordinances.]

Regulations and Requirements

-No mandatory licensing requirement for FDCH; providers may choose to voluntarily become licensed, will receive basic day care license.
-FDCH provide care for 6 or fewer children.
-Provider/child ratio: most restrictive required is 1:12, not determined by age.
-If licensed, renewal every two years upon reapplication.
-If licensed, fire inspection and health inspection are required; upon each renewal, subsequent fire inspections and health inspections are also required.
-Licensing fees: Fire: up to $20; Health: $35; Criminal History Check: $45 per individual plus taking prints when necessary.
-No space requirements.
-**Group Day Care Homes:**
 -Have from 7 to 12 children.
 -Provider/child ratio is 1:12.
 -Certification required by law.
 -Fire and health inspections required for group homes if licensed.

Training and Orientation

-No training or orientation required.

Provider Qualifications

-FDC provider must be 18 years old.
-Criminal record checks are done for those providers who have not been continuous residents of the county three years prior to application or employment in the day care home.

Complaint Procedure

-To file a complaint, concerns may be directed verbally or in writing to the licensing/child protection agency or resource and referral.
-Child protection issues are investigated with on-site visit which may be unannounced; licensing issues may require unannounced on-site visit; quality of care is not regulated other than in this manner.

-Consequences depend on circumstances; license may be suspended or revoked, also possible criminal action.

Discipline Policy
-No provisions for discipline.

Immunization Policy
-Children are required to be immunized, and providers must have records on file.
-Parents are responsible for maintaining immunization schedule and keeping the record current.

Nutrition Policy
-ID Department of Education is state sponsor for USDA CACFP.
-No current policies regarding nutrition; legislation to be introduced.

Smoking Policy
-Smoking is allowed with no restrictions.

Emergency Medical Consent Policy
-No provision

Infant Care Programs
-No special regulations.

Sick Child Care Programs
-No special regulations.

Special Needs Care Programs
-No special regulations

Before and After School Programs
-No special regulations.
-No policy regarding overlap time when integrating when preschool children.

National Life Safety Fire Code
-Not adopted on a statewide bases; licensure of homes not required by statute is permissive.

Zoning
-FDCH must comply with local ordinances.

Available Resources
-Training.

Local Contact
-Coeur D'Alene, Boise, Pocatello, Sandpoint, Lewiston, Chubbuck, Moscow have own licensing ordinances where state is not involved (contact city clerk offices). Otherwise, contact Idaho Dept. of Health and Welfare Regional Offices.

Pending Legislation
-There was new legislation passed this year that will result in the writing of new regulations, but this has not yet been accomplished.

ILLINOIS++

Information Supplied By:	Carol Borders, Licensing Specialist DCFS - Office of Licensing 406 East Monroe Street Springfield, IL 62701-1498 PHONE: (217) 785-2688 FAX: (217) 524-0014

Number of Homes

7,576 family day care homes
90 large family day care homes

Regulations and Requirements

-FDC providers required to be licensed if caring for more than 3 children; no licensing fee.
-Licenses renewed every 2 years.
-Provider/child ratio is 1:12 with no more than 3 under age 2.
-With more than 3 under age 2, assistant required.
-Liability insurance not required.
-Substitute caregiver required before license granted; substitutes do not have to be licensed.
-Inspections of home prior to licensing and annually thereafter (subsequent visits may be unannounced).
-No space requirements.
-LFDCH licensing regulations in effect.

Training and Orientation

-No training or orientation required.

Provider Qualifications

-FDC provider must be 18 years old.
-Initial and biennial physical exams required of provider and provider's family.
-Three written or oral references required.
-Child Abuse Registry check required.

Complaint Procedure

-No information available.

Discipline Policy

-Corporal punishment prohibited.

Immunization Policy

-Children must be immunized and providers are responsible to maintain current records.
-Parents may request a religious or clinical grounds exemption.

Smoking Policy

-No information available.

Nutrition Policy
-No information available.

Emergency Medical Consent Policy
-Forms are not required.

Infant Care Programs
-No special regulation.

Sick Child Care Programs
-Group care prohibited by public health regulations when communicable diseases are present, otherwise at discretion of caregiver.

Special Needs Care Programs
-No special regulations.
-Reviewing to comply with ADA.

Before and After School Programs
-Family and group day care homes may increase their capacity from 8 to 12 or from 12 to 16 children respectively to accomodate caring for school age children.
-No policy regarding overlap time; child/staff ratio must be maintained.

National Life Safety Fire Code
-Not adopted.

Zoning
-FDCH must comply with local ordinances.

Available Resources
-No information available.

Local Contact
-Regional Offices of the Illinois Department of Children and Family Services.

Pending Legislation
-The potential that anyone applying for any type of license would have to declare their status regarding child support as current and up to date.
to 12 children.

++ This is the same information as reported in the 1992 Family Day Care Licensing Study. No new information was received prior to publication date.

INDIANA

Information
Supplies By:

Keith Carver, Supervisor
Day Care Licensing Unit
Division of Family and Children
402 W. Washington St., Room W-364
Indianapolis, IN 46204
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FAX: (317) 232-4436

Number of Homes

-2,127 family day care homes.

Regulations and Requirements

-FDC providers require to be licensed if they care for 6 or more unrelated children; fee is $25 per year.
-Licenses renewed every two years with annual inspections.
-Providers re-submit application and criminal history check and an undated home study and inspection are done.
-Maximum of 12 full time children permitted.
-Additional child care provider is required when 10 or more children and/or 4 or more under the age of 2 are present.
-FDCH must be inspected prior to licensing; subsequent visits annually and can be unannounced.
-Liability insurance not required.
-No space requirements.

Training and Orientation

-Must have completed a first aid course within the last 3 years prior to licensure/employment and shall complete another course every 3 years thereafter from the date of the previous course.

Provider Qualifications

-Must be at least 21 years old.
-Three written references required.
-Each provider required to submit a criminal history check.

Complaint Procedure

-To file a complaint, contact child welfare/child protection units of local county DFC offices.
-When a complaint is filed, state follows regular child welfare complaint procedures.
-Consequences vary from revocation of license to prosecution, depending on severity of the violation.

Discipline Policy

-Corporal punishment is permitted in FDCH.

Immunization Policy

-Children must be immunized; providers must maintain current records.
-Parents may request in writing an exemption based on religious beliefs.

Nutrition Policy

-IN Department of Education is state sponsor for USDA CACFP.
-State regulations require meal and 2 snacks for full time care; 1 snack for part time care and full time after 6 PM.

Smoking Policy

-Smoking is allowed without restriction.

Emergency Medical Consent Policy

-Form is required and must be notarized.

Infant Care Programs

-Special regulations in addition to basic FDCH regulations.

Sick Child Care Programs

-If a child becomes ill during the day, the child shall be isolated from others.

Special Needs Care Programs

-No separate regulations.

Before and After School Programs

-No separate regulations.
-If a home cares for children less than 4 hours a day, they are not required to be licensed.

National Life Safety Fire Code

-Not adopted.

Zoning

-FDCH must comply with local ordinances.

Available Resources

-New training being planned funded by new licensing fees.

Local Contact

-The local office of the Division of Family & Children in the county in which they live.

Pending Legislation

-P.L. 20 effective 7/1/92, required new day care home regulations.
-Pending legislation would remove day care homes from local zoning ordinance restrictions.

IOWA

Information
Supplied By:
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Child Day Care Services
Department of Human Services
Hoover State Office Bldg., 5th Fl.
Des Moines, IA 50319
PHONE: (515) 281-6074
FAX: (515) 281-4597

Number of Homes

-3,264 family day care homes
-1,525 group day care homes

Regulations and Requirements

-Registration for FDCH is on voluntary basis; no fee.
-Staff ratio is 1:6 including provider's preschool children.
-Never more than 4 children under 2 years of age at any time.
-Provider may care for more than 6 but less than 12 children at any one time for less than 2 hours, but cannot unless he does not provide care at any one time for more than 6 children who are not attending school full time; provider's child is also counted if the child is not going to school full time.
-No home inspection required before registration. 20% of FDCH are spot checked each year.
-Registration certificates renewed annually through local (county) office of the Department of Human Services.
-**Group Day Care Homes:**
  -Required to be registered.
  -Must have second staff person if 7 or more children are present for 2 or more hours at a time.
  -Allowed to have 7-11 children - never more than 4 under 2 years old; never more than 6 not in school full time.
  -Must meet certain safety requirements and have quiet area for sick child.
  -Registration certificates are renewed annually through reapplication.
  -20% of GDCH are spot-checked each year.

Training and Orientation

-Providers must have 2 hours of training every 5 years in child abuse identification and reporting.

Provider Qualifications

-Provider must be at least 18 years old.
-Must have physician's signed statement, obtained at first registration and at least every 3 years thereafter, on all members of provider's household, stating that all members of household are free from disease or disabilities that would prevent good child care.
-Criminal record check done on provider and family members.
-Child abuse registry check done on provider and family members.

Complaint Procedures

-To file complaint, contact Department of Human Services.

-Investigate complaint by an unannounced or announced visit; explain care requirements to provider and explore ways to fulfill these requirements.

-Consequences for violation depend upon type and severity; If children are in immediate danger, may seek an injunction through County Attorney.

Discipline Policy

-No discipline shall be used that is physically or emotionally harmful to a child.

Immunization Policy

-Children must be immunized and current records must be on file in the family with the provider.

Nutrition Policy

-IA Department of Education is state sponsor for USDA CACFP.

-Rules only require meals be well-balanced, nourishing and in the appropriate amounts.

Smoking Policy

-Smoking allowed; restrictions not addressed.

Emergency Medical Consent Policy

-Emergency medical forms are required, but they do not have to be notarized.

Infant Care Programs

-No special regulations.

Sick Child Care Programs

-The group day care home shall provide a separate quiet area for sick children.

Special Needs Care Programs

-No special regulations.

Before and After School Programs

-No special regulations.

-FDCH may care for 5 school age children for less than 2 hours in addition to the other children in care.

National Life Safety Fire Code

-Not adopted.

Zoning

-Zoning requirements not part of registration requirements but enforced separately by each city or county.

Available Resources

-Child care resources and referral organizations, CACFP, and other resources depending on local resources.

Local Contact
-Local office of the IA Dept. of Human Services.

Pending Legislation
-None.

KANSAS**

Information
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Department of Health and Environment
900 S.W. Jackson, Landon State Office Bldg.
Topeka, KS 66612-1290
PHONE: (913) 296-1272
FAX: (913) 296-1266

Number of Homes

-5,522 registered family day care homes
-5,101 licensed family day care homes
-516 group day care homes

Regulations and Requirements

-Providers caring for 6 or fewer children must be registered; annual fee is $5.
-Providers caring for 7-12 children must be licensed; annual fee is $15.
-Number of caregivers per group of children is 1 or 2 based on age groupings of children.
-Licenses are reviewed annually based on date of previous license expiration.
-Parents allowed total access to their children in the FDCH's.
-DCH's are inspected before licensing; those providers that are only registering do not have to be inspected.
-If second floors are used in day care home, they must have fire safety approval.
-There are subsequent annual visits to homes for inspection.
-Space requirements: for licensed homes - 25 sq. ft. of available indoor playspace per child for day care homes serving 7 to 12 children. No outdoor space requirements.
-Group Day Care Homes:
  -GDCH provider may care for 10-12 children; 2 adults may be required.
  -Provider must be licensed; annual fee is $15 and license is reviewed annually.

Training and Orientation

-FDCH: training is required. All homes are required to have first aid training; additional training is required for the licensed FDCH as follows: Providers must submit documentation within 60 days that one of the following requirements has been met: 1) five sessions of observations, not less than 2 1/2 hours per observation, 2) a child development associate credential (CDA), 3) 15 hrs of directed readings, videotapes, etc. 4) employment for not less than three months in a licensed FDCH, GDCH, or child care center which had been in operation for three or more years.
-GDCH: Within 60 days following the initial application for license or employment, one of the following must be met: 1) six months of supervised employment in licensed facilities with children the same age as enrolled in GDCH, 2) 10 hours directed reading and 5 sessions of observations, not less than 2 1/2 hours per observation, 3) CDA, 4) minimum three semester hours of academic credit or equivalent training in child development, early childhood

education, and curriculum resources, and supervised observation in high school or college or three months experience with children of the same age as enrolled in GDCH, or 5) requirements for program director of child care center as regulated by rules and regulations.
-Prior to relicensure, provider in FDCH or GDCH shall provide documentation of 1) 5 clock hours of in-service training, or 2) five hours of directed reading, or 3) current accreditation by the National Association for Family Day Care (NAFDC).

Provider Qualifications
-Provider must be at least 18 years old.
-Initial physical exam required before provider can begin operating.
-Criminal record check (no fingerprinting) and Child Abuse Registry check done on provider and provider's family members 10 years of age and older. No fee for the check.

Complaint Procedure
-To file a complaint, call or write the local licensing office; anonomous is accepted.
-When a complaint has been filed, usually an unannounced visit or complete investigation which can include calling other parents happens.
-Consequences are: formal correction order, civil fine up to $500, suspension, or revocation of license; if revoked there is a one year moritorium before the individual can re-apply.

Discipline Policy
-Corporal punishment prohibited.

Immunization Policy
-Children in any category of child care must be immunized, as of 1992.
-Regulations are being revised to included registered homes; children in licensed homes must be immunized; provider responsible to see records are current.

Nutrition Policy
-KS Department of Education sponsors USDA CACFP.
-Nutrition requirements in the regulations.

Smoking Policy
-Smoking is allowed; however, there is no smoking while physically caring for a child.

Emergency Medical Consent Policy
-Forms required; only notarized in accordance with the requirements of the medical facility.

Infant Care Programs
-No special regulations.

Sick Child Care Programs
-Regulated by quarantine requirements of the Department.

Special Needs Care Programs
-No special regulations.

Before and After School Programs
-No special regulations.
-In licensed homes, they can request an overlap time of one hour for 2 children.

National Life Safety Fire Code
-Is adopted.

Zoning
-Must comply with local ordinances; not enforced by state regulation.

Available Resources
-Information about CACFP, local and state family day care associations, resource and referral services, educational services.

Local Contact
-County Health Departments.

Pending Legislation
-None

** Information not re-verified.

KENTUCKY

**Kentucky has two regulatory agencies for family child care: The Division of Licensing and Regulations regulates providers caring for 7 or more children; while the DSS Child Care Services Branch regulates family child care providers caring for 4-6 children through the FCCH Certification Program. Each agency is listed separately.

Number of Homes
-193 licensed family day care homes
-423 certified family day care homes (as of 3/1/93)

**KENTUCKY DIVISION OF LICENSING AND REGULATION

Information Supplied By:
Bess Howard, HSP Specialist
Div. Licensing and Regulations
275 East Main Street
CHR Bldg. - 4th Floor East
Frankfort, KY 40621
PHONE: (502) 564-2800
FAX: (502) 564-6546

Regulations and Requirements
-Licensing required for FDCH providing care for 7 or more children; initial licensing fee is $80 for a new Type I; $40 for a new Type II.
-Licenses renewed annually; renewal fee is $40 for Type I & II.
-Relicensure involves submission of an application by the provider and an on-site inspection by the licensing agency.
-Kentucky divides day care facilities into two types - Type I and Type II; FDC comes under the Type II description.
-Type II homes may provide care for 7-12 children, including provider's own children.
-The age of the youngest child in care determines how many children may be in the home and stay within bounds of provider/child ratios.
-With 1 child 2 years old or younger, no more than 6 children may be cared for; if youngest child is between 2 and 3 years old, no more than 10 children may be cared for. The age of the youngest child in the group determines the staff child ratio.
-When more than 10 children are cared for, an assistant is required.
-Liability insurance required prior to licensing.
-Minimum of 2 substitute caregivers required.
-FDCH inspected before licensing; subsequent visits occur during annual renewal and on occasion of complaints.

-Space requirements: 35 sq. ft. per child inside-exclusive of kitchen, bathroom, and storage areas. If a facility does not have an outdoor play area, the indoor space to be used as a play area must be a minimum of 60 sq. ft. per child using the area at any one time separate and in addition to the 35 sq. ft. minimum as described previously. The area must include gross motor equipment and be well ventilated and heated. The outdoor space shall be adequate enough for the particular number of children who are outdoors at the time.

Training and Orientation

-Regulations require 6 contact hours of early childhood development training annually for directors and staff.

Provider Qualifications

-FDC provider must be 21 years old.
-TB tests required of provider, assistants, and all adults residing in home.
-Criminal record checks and fingerprinting required.
-Master's degree in ECE/D, no experience required; or
-Bachelor's degree in ECE/D, no experience required; or
-Master's degree or a Bachelor's degree in any field other than ECE/D, plus two years full-time paid experience in working with young children in a group; or
-Master's degree or a Bachelor's degree in any field other than ECE/D, plus twelve hours of child development training; or
-Child Development Associate (CDA), plus twelve hours of child development training; or
-Associate of Arts degree, plus twelve hours of child development training; or
-Competency-based vocational training in ECE, plus twelve hours of child development training; or
-General Equivalency Diploma (GED) or a high school diploma, plus twelve hours of child development training.
-The twelve hours of child development training must be completed within the first six months of operation while the facility operates on a provisional license. All training shall have prior approval of the Cabinet.

Complaint Procedure

-The Division of Licensing and Regulation is mandated to respond by investigation to any referral alleging non-compliance with licensing regulations.
-When a complaint is filed, an unannounced site visit is made. If the allegation includes abuse/neglect, a joint visit is made with the Department of Social Services.
-Consequences: Illegal operators are required to become licensed or face legal action. In licensed facilities, deficiencies are cited; due process for correction is followed; non-correction could result in negative action to pursue revocation of license.

Discipline Policy

-Corporal punishment prohibited.
-Discipline methods must be in writing and adhere to FDC regulations.
-A positive approach to discipline must be used.

Immunization Policy

-Children are required to be immunized; records must be on file within 90 days of enrollment and kept current.

Nutrition Policy
-KY Department of Education is the state sponsor for USDA CACFP.
-Children are to be served meals which include a food from each of the 4 food groups following the guidelines of USDA.

Smoking Policy
-Smoking is allowed; however, smoking can only take place in designated areas away from the children.

Emergency Medical Consent Policy
-Forms are required, but they do not have to be notarized.

Infant Care Programs
-No special regulations.

Sick Child Care Programs
-Sick child is prohibited from staying in day care while sick.

Special Needs Care Programs
-No special regulations.

Before and After School Programs
-No special requirement.
-No policy regarding overlap time.

National Life Safety Fire Code
-Not adopted; the federal Fire Safety Code is enforced by the State Fire Marshal's Office.

Zoning
-FDCH must comply with local ordinances; zoning ordinances must be met as a prerequisite to licensure.

Available Resources
-Cabinet for Human Resources, Department of Social Services, offers resource and referral and subsidized child care programs.

Local Contact
-Regional office of the Cabinet for Human Resources, Div. of Licensing and Regulations for licensed homes.

Pending Legislation
-None.

**KENTUCKY DEPARTMENT OF SOCIAL SERVICES

Information
Supplied By: Lydia Roberts, Manager
Child Care Services Branch
Department of Social Services
275 East Main Street, 6th Floor West
Frankfort, KY 40621
PHONE: (502) 564-2524
1-800-421-1903

Regulations and Requirements

- Certification is required for family child care home providers caring for 4-6 unrelated children. A FCCP may apply for certification if caring for 3 or fewer children also.
- Renewal for certification involves repeating the certification process every two years.
- Fee of $10 is required upon initial application.
- If more than 4 infants are in care, provider shall employ an assistant who must be 16 years of age or older.
- There shall never be more than 6 children under the age of 6 years old including the provider's own or related children; maximum number of children in care shall never exceed 10.
- FCCH is inspected before certification is approved and upon renewal.
- Space requirement: Indoor areas, including furnishings, used for child care shall contain a minimum of 35 sq. ft. per child.
- A substitute provider is required in the absence of the provider; substitute must be at least 18 years old.

Provider Qualifications

- FCCP must be at least 18 years old.
- Two character references are required for the provider.
- A criminal records check is required for the provider, substitute provider and all adults living in the FCCH.
- A TB skin test is required of the provider (administered within 30 days of application) and substitute provider.
- A written physician's statement is required for the provider.

Training and Orientation

- At least 6 hours of training in basic health, safety and sanitation, recognizing and reporting child abuse and developmentally appropriate child care practices is required for the provider.
- Beginning with the second year of operation, provider must obtain at least 6 hours of training in child development.
- Liability insurance is required for the provider.

Compliant Procedure

-Complaints may be filed verbally or in writing to the DSS.
-DSS is mandated to respond to all complaints.
-Denials, suspensions, revocations or refusals to renew will be made in writing to the provider, stating the reasons for the adverse action and the provider's right of appeal.
-Appeals may be made by the provider within 15 days after receipt of the notice of the intended action.
-Provider will be notified of hearing time and location within 15 days of receipt of the request for hearing. All decisions of the hearing officer are final and provider is notified in writing.
-Providers who continue to care for 4-6 unrelated children after the closing date established by CSS will be subject to legal action by CHR under law.

Discipline Policy

-Physical punishment and placement of a child in a locked or confined space are prohibited.
-Disciplinary methods which humiliate, shame or frighten a child are prohibited; as well as harsh or demeaning language in the presence of the children.
-Discipline shall not be delegated to another child or related to food, rest, toileting, or not sleeping during rest time.

Immunization Policy

-Enrolled children are required to be immunized.

Nutrition Policy

-KY Department of Education is state sponsor for USDA CACFP.
-Children are to be served meals which include a food from each of the four basic food groups and snacks appropriate in the amount and type of foods served for the ages of children in care.

Smoking Policy

-Smoking is prohibited in the presence of children in care.

Emergency Medical Consent Policy

-Forms are required, but they do not have to be notarized.

Infant Care Program

-No special requirements.

Sick Child Care Program

-A quiet, separate area, which can be easily supervised, for children too sick to remain with other children is required.

Special Needs Care Program

-No special requirements.

Before and After School Programs

-No special requirements.
-No policy concerning overlap time.

National Life Safety Fire Code

-No adopted.

-Each floor level used for child care shall have at least one unblocked exit and at least one smoke detector and fire extinguisher.

-FCCH shall have at least one telephone in working order with the emergency number of the fire station posted by each telephone.

Zoning

-No special requirements.

Available Resources

-The Cabinet for Human Resources, Department of Social Services, offers resource and referral information, CACFP information, and subsidized child care programs for qualified applicants.

Local Contact

-Local county Department of Social Service offices.

Pending Legislation

-None.

LOUISIANA**

Information Supplied By:

Steve Phillips
Quality Assurance
DSS - Bureau of Licensing
P.O. Box 3078
Baton Rouge, LA 70821
PHONE: (504) 922-0015
FAX: (504) 922-0014

Number of Homes

-9,024 family day care homes

Regulations and Requirements

-Licensure required only if caring for 7 or more children.
-Registration required only if caring for 6 or less children and receiving state and/or federal funds.
-Annual fee - $5.00.
-Provider/child ratio is 1:6.
-Registration only requires annual approval by State Fire Marshall. (CACFP may have added requirements.)
-Annual registration renewal visits and other unannounced visits are conducted.

Training and Orientation

-For registered providers:
  -Prospective providers for CACFP funds must participate in orientation, record-keeping, etc. sponsored by agency (approximately 45 non-profit agencies).
  -No required orientation or training for other funded FDCH.
  -All registered FDCH may attend free training programs, however not required.

Provider Qualifications

-Provider must be at least 18 years old; no other special qualifications for registration.

Complaint Procedure

-To file a complaint against a registered provider, contact Department of Social Services, Department of Education, State Fire Marshal or Department of Child Abuse.
-Depending upon nature of complaint, an unannounced visit may be appropriate.
-Consequences include possible loss of registration and all funding.

Discipline Policy

-Providers in CACFP may not use food as means of discipline.
-Providers must comply with state child abuse and neglect laws.

Immunization Policy

-Not required.

Nutrition Policy
-LA Department of Education is state sponsor for USDA CACFP.
-If provider participates in CACFP, they must follow guidelines; otherwise there is no nutrition policy.

Smoking Policy
-Smoking is not allowed in facilities caring for 7 or more children.
-No policy regarding registered family day care homes.

Emergency Medical Consent Policy
-Not required.

Infant Care Programs
-No special regulations.

Sick Child Care Programs
-No special regulations.

Special Needs Care Programs
-No special regulations.

Before and After School Programs
-No special regulations.
-No policy regarding overlap time.

National Life Fire Safety Code
-All registered providers inspected by State Fire Marshal.

Zoning
-Up to local authorities to enforce as appropriate.

Available Resources
-CACFP (free training to registered homes on child growth and development, fire safety, health, etc.

Local Contact
-Local offices of FDCH sponsoring agencies.
-Local Department of Social Services offices.

Pending Legislation
-None.

** Information not re-verified.

MAINE

Information
Supplied By:
Paul Bright, Supervisor
Child Care Licensing Unit
Bureau of Child and Family Services
State House Station 11
Augusta, ME 04333
PHONE: (207) 289-5060

Number of Homes

-750 registered family day care homes
-1,400 licensed family day care homes

Regulations and Requirements

-Provider caring for 3 - 12 unrelated children must be licensed or registered; provider has the choice.
-Licenses renewed annually; $10 fee, offsets fire inspection costs.
-Registered providers pay $20 fee every 2 years.
-Homes inspected before licensing; annual unannounced inspections follow initial inspection; also inspected by the fire marshal to verify compliance to rules.
-Licensed single provider, including their own child(ren), may care for:
  -4 children under 2, or
  -8 children over 2, plus 2 school age children, or
  -12 all school age children, or
  -Mixed ages - no more than 3 under age 2 with a maximum of 6 plus 2 school age.
-Licensed providers with one additional staff, including children of provider and staff, may care for:
  -8 children under 2, or
  -12 children over 2, or
  -12 all school age children, or
  -Mixed ages - no more than 3 under age 2 per staff with a maximum of 12.
-Licensed providers with two additional staff, including children of provider and staff, may care for:
  -12 children, no matter the ages.
-Space requirements: 35 sq. ft. per child inside the facility, excluding kitchens, hallways, bathrooms; outside requirement - adequate for safe play.

Training and Orientation

-Orientation now required for licensed providers.
-Six hours of training in child care, early childhood education, business of family day care, or child development within the first license year and every year thereafter.
-Provider must supply orientation for aides and assistants.
-Certification in first aid and CPR every three years also.

Provider Qualifications

-Provider must be at least 18 years old.
-Licensed providers required to have 3 written references.

-Criminal record check done.
-Aides and assistants also must be 18 years of age; aides or assistants ages 16-18 not counted as staff; must be under direct supervision of the provider.
-Helpers must be over age 14 in registered homes.

Complaints Procedure

-To file a complaints, write or call the Licensing Unit or Child Protective Services.
-All complaints are screened by an Investigations Unit; unannounced visits are required.
-Consequences depend on the violation; can revoke license as ultimate sanction.

Discipline Policy

-Corporal punishment prohibited.
-Practices detrimental to children are prohibited.

Immunization Policy

-Children must be immunized in licensed homes; but not in registered homes.
-Providers are responsible for maintaining current records.

Nutrition Policy

-Is state sponsor for USDA CACFP.
-Requirements must comply with CACFP.

Smoking Policy

-Smoking is allowed in registered homes; but not in licensed homes.

Emergency Medical Consent Policy

-Form required for licensed providers, but does not have to be notarized.

Infant Care Programs

-Special additional rules for licensed providers caring for children six weeks to 36 months of age.
-No child under six weeks of age as verified by birth certificate may be cared for in a licensed facility.
-Extensive requirements relative to feeding, diapering, napping, bedding, developmentally appropriate activities and immunizations.

Sick Child Care Programs

-No special regulations; guidelines exist for when sick children can return to day care; parents must remove obviously ill children from day care.

Special Needs Care Programs

-Providers must have experience and training documented to meet the special needs of the children.
-Parents must supply adequate information about the child's special needs.

Before and After School Programs

-Special regulations only if family day care home services only school age children.
-No policy regarding overlap time; providers must be in compliance with the child/staff ratios.

National Life Safety Fire Code
-The State Fire Marshals who do the inspections use the Code.

Zoning
-Licensed providers, not registered, must comply with local ordinances.

Available Resources
-Many included in provider packet.

Local Contact
-Dept. of Human Services at the state level.

Pending Legislation
-Yes.

MARYLAND

Information Supplied By:	Barbara Smith-Hamer, Director Child Care Administration 2701 North Charles Street Baltimore, MD 21218 PHONE: (410) 554-0400 FAX: (410) 554-0448

Number of Homes

-12,377 family day care homes

Regulations and Requirements

-Registration required for FDC providers; no fee.

-Registration renewed every 2 years.

-FDC providers may have maximum of 8 children with no more than 2 children under age 2. If a second adult is present to assist in caring for children, 4 children under 2 may be enrolled. The Child Care Administration may limit the number of children cared for based on several factors including the number and ages of the provider's own children.

-Inspection visits are required prior to registration, and at the time of renewal which occurs every 2 years. Following registration, a home is visited at least once during a two year period. Visits are also made in response to complaints. Visits may be unannounced.

-Liability insurance is required if the provider's home is located in an area covered by a Homeowner's or Condominium Association.

-Providers are required to give parents of children enrolled in their homes copies of a consumer education pamphlet on regulated child care called Making the Difference for Your Child.

Training and Orientation

-Attendance at an orientation session is required to learn about regulations and to receive an application.

-Training is required; continued training must satisfy the number of hours required by regulation; family child care providers must have six clock hours of continued training in addition to six clock hours of health related training (12 clock hours total) every two years.

Provider Qualifications

-FDC provider must be 18 years old or older.

-Physical exam required of provider and all household members.

-Three written references required.

-Criminal record check and Child Abuse Registry check required of provider and family members over age 18.

Complaint Procedure

-Complaints may be made verbally by telephone, anonymously, or otherwise, in person, or in writing, to the Child Care Administration.

-A complaint is a verbal or written statement of non-compliance with the regulations; complaints are followed by unannounced on-site inspections (except in some cases of simple unregistered care, where a phone call or letter may suffice). A report of findings is submitted and a conference with supervisory staff is held to conclude the investigation and determine the further course of action, if needed. Complaints involving child abuse or neglect are immediately referred to Protective Services and police, to ensure their participation in the investigation.

-Consequences may involve sanctions, such as restriction; remedial action, additional monitoring, or reduction of capacity; or denial, suspension or revocation of registration. The court may impose a fine of up to $500 on any person found to be operating in violation of the regulations.

Discipline Policy

-The provider or substitute shall use procedures for disciplining a child that are appropriate to the age and maturity of the child and that do not include the deliberate infliction in any manner of any type of physical pain or emotional harm, including spanking, hitting, shaking or any other means of physical discipline, or shaming or ridiculing.

Immunization Policy

-Children are required to be immunized.

-Provider is responsible to seeing that immunizations are current.

Nutrition Policy

-Nutritious meals and snacks provided in the home by either day care provider or parent.

-CACFP has various sponspors in Maryland including the Planning Council (Norfolk, VA - 17 programs); local Social Service Departments (4 programs); local public schools (2 programs); and local Health Department (1 program).

Smoking Policy

-Smoking is allowed in family day care home; however, the caregiver may not smoke while engaged in caregiving activities requiring direct physical contact with children, including feeding, diapering, dressing and rocking.

Emergency Medical Consent Policy

-Form is required, but it does not have to be notarized.

Infant Care Programs

-We do have separate regulations which are contained within the chapter (Annotated Code of Maryland, Chapter 01, Family Day Care Registration).

Sick Child Care Programs

-No special regulations. Children who are accutely ill may not be admitted.

Special Needs Care Programs

-We do have separate regulations which are contained within the chapter (see above).

Before and After School Programs

-Separate regulations which are contained within the chapter (see above).

-No provision for overlap time for integration of school age children; child/staff ratios must be maintained at all times.

National Life Safety Fire Code

-The state fire marshal and the local fire departments have adopted the National Life Safety Fire Code for their inspections of family day care homes. The Child Care Administration's regulations governing family day care require that applicants must pass the fire department inspection prior to registration.

Zoning

-Day care homes must comply with local ordinances. Recent legislation prohibits family child care homes from being construed as small businesses.

Available Resources

-CACFP, local Associations, Resource and Referral Network, Maryland Committee for Children, State Purchase of Care Programs, and CDA credentialing scholarships.

Local Contact

-Regional offices of Child Care Administration.

Pending Legislation

-No pending legislation.

MASSACHUSETTS**

Information
Supplied By: Martha J. Roberts, Director
Family Day Care Licensing
Office for Children
One Ashburton Pl., Rm. 1111
Boston, MA 02108
PHONE: (617) 727-8900

Number of Homes

-13,570 family day care homes

Regulations and Requirements

-Licensure required for FDC providers; $75 fee for initial license, plus $75 renewal for every 3 years.

-Providers may care for maximum of 6 children including participating children living in the home; provider/infant ratio is 1:3.

-Liability insurance not required.

-Inspection of FDCH prior to or within 6 months of licensure; subsequent visits made annually - unannounced.

-Space requirements: Indoor - 150 sq. ft. for care of 1 or 2 children, 225 sq. ft. for care of 3-6 children; outdoor - 75 sq. ft. per child.

-No provision for group day care homes.

Training and Orientation

-New applicants: CPR, First Aid and a 3 hour orientation aproved by the Office using the resource guide "Establishing a Successful Family Day Care Home" developed by the Office (Requirements effective 5/15/93).

-Renewal providers: CPR, First Aid, effective 5/14/93, and 15 hours of training effective 9/3/93.

Provider Qualifications

-FDC provider must be 18 years old.

-Provider shall submit evidence, at the time of application of: Immunity for MMR; a negative Mantoux TB test; a physical examination within one year to initial application which includes any limitations in working with young children. The physical exam is valid for three years from the date of the exam and shall be renewed every three years thereafter.

-Two written references required.

-Employer references may be required if person applying for registration has been employed outside home within 5 years prior to application.

-Criminal record checks done on provider, all family members age 17 and over, persons regularly on premises, and approved assistants.

Complaint Procedure

-To file a complaint, orally or in writing contact the Office for Children.

-When a complaint has been filed, an unannounced monitoring visit and collateral contacts, if appropriate.

-Consequences are as follows: Cited given 14 days to comply, or legal order including Emergency Deficiency Correction Order, or Deficiency Correction Order, or Emergency Suspension, or a Suspension, or a Show Cause to Revoke.

Discipline Policy

-Corporal punishment prohibited.

Immunization Policy

-Children are required to be immunized; provider is responsible for obtaining up to date information according to the public health schedule.

Nutrition Policy

-MA Department of Education Bureau of Nutrition is state sponsor for USDA CACFP.

-Children shall be offered one snack or meal, if in care for less than four hours and shall be offered regularly scheduled meals and snacks, if in care four hours or longer. Infants and toddlers shlall be fed according to their individual feeding schedule or needs. The provider shall not force children to eat.

Smoking Policy

-Smoking is allowed; however, smoking cannot take place in day care space when a day care child is present.

Emergency Medical Consent Policy

-Forms are required, but they do not have to be notarized.

-Parental permission is required for the administration of CPR and First Aid.

Infant Care Programs

-Care of very young children under 15 months, the provider shall ensure that:

- -At no time a child is left unattended in an infant seat on a table or on a changing table.
- -At no time a child is left awake and unattended in a crib, infant seat on the floor, or playpen for a period of time exceeding 15 minutes.
- -A supply of clean, dry diapers adequate to meet the needs of the children in care is maintained and that each child's diaper is promptly changed whenever wet or soiled.
- -Proper diapering procedures are followed, which prevent the spread of diseases in the family day care home and which follow good hygiene practices including sanitizing, handwashing, use of individual diapering topical ointments, and the use of individual or disposable changing materials.
- -A change of clothing is provided for each child.
- -Whenever there is more than one child younger than 15 months old in care, each child's bottles, formula, and other personal items when appropriate are clearly labeled with the child's name.
- -Very young children have a balance of activities, including the ability to freely explore the family day care home at least part of each day.

Sick Child Care Programs

-Care of mildly ill children:

- -The provider may care for children who are mildly ill. If a child becomes ill during the day, the provider shall notify the parents. When caring for a mildly ill child, the provider shall meet his or her individual needs for food, drink, rest, play materials, comfort and appropriate activities as indicated by the health condition of the child.

Special Needs Care Programs

-ADA will be enforced regarding the enrollment and care of children with disabilities.

Before and After School Programs

-No special regulations, expect for school age children above the age of seven who are cared for in a family day care home are exempted from licensure when no child under age seven is in care.

-No policy regarding overlap time for school age children integrated with other children in the family day care homes; child/staff ratio must be maintained.

National Life Safety Fire Code

-Not adopted.

Zoning

-Zoning Act; law says that use of residence as a registered FDCH is permitted under local zoning laws except where the city or town expressly acts to regulate or prohibit FDCH. Since most local zoning laws do not address FDCH, amendment changes presumption that the use of a home as a FDCH is illegal to new presumption that it is a legal use.

-Boston passed a zoning amendment which allows FDCH to be an accessory use in a private residence.

Available Resources

-Child care resource agencies.

Local Contact

-Local Office for Children.

Pending Legislation

-None.

** Information not re-verified.

MICHIGAN

Information
Supplied By: Ted de Wolf, Director
Dept. of Social Services
Division of Child Day Care Licensing
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Lansing, MI 48909
PHONE: (517) 373-8300
FAX: (517) 335-6121

Number of Homes

-12,060 family day care homes
-1,931 group day care homes

Regulations and Requirements

-FDC providers may have 1-6 children and are required to be registered; a fee is required.
-Staff ratio is 1:6, including family members under 7 years old; no more than 4 children under 30 months and no more than 2 of those children can be under 18 months.
-Certificates of registration renewed every three years via the mail.
-Liability insurance not required.
-Substitute caregiver required for emergencies.
-FDCH inspected within 90 days of receiving certification; 10% random sampling of homes annually; visits usually scheduled. Division may not return unless complaint warrants unannounced visit; renewed every three years based on self-certification.
-Space requirements: 35 sq. ft. indoors; 400 sq. ft. for FDCH and GDCH outdoors.
-**Group Day Care Homes:**
  -May serve 7-12 children known as Group Day Care Homes.
  -Provider/child ratio - 1:6.
  -Must be licensed with renewal every 2 years following on-site visit.
  -Special requirements include fire safety provisions for child occupancy above 2nd floor; emergency alarm and procedures; nighttime care, and fire extinguishers.

Training and Orientation

-FDC providers must complete within 3 years of registration first aid training and both adult and child cardiopulmonary resuscitation.
-Group DC providers must complete within 2 years of being licensed 20 clock hours of training related to care of children, including first aid, CPR, and 8 hours of child development.
-Orientation required for FDC providers.

Provider Qualifications

-Provider must be at least 18 years old.

-Signed statement by licensed physician required before provider can give child care and then every three years; statement must refer to provider's mental and physical capacity in handling children.
-Provider and family members over 14 must have TB test.
-Three written references required.
-Criminal record check required (no fingerprinting) for provider and family members over 18.
-Child Abuse Central Registry also reviewed.

Complaint Procedure

-To file a complaint, contact Division of Child Day Care Licensing, either at the local or central office level; a verbal or written complaint can be filed.
-Depending on the seriousness of the violations, investigation is to begin one to five working days; this can include an unannounced visit if the violations warrant it; low risk complaints can be handled at the next licensing visit.
-Consequences are a correction of the violations; can also include a warning letter; change to a provisional license; refusal to renew, or a revocation of the license/registration.

Discipline Policy

-Corporal punishment including spanking prohibited.

Immunization Policy

-Children are not required to be immunized, although the provider is required to obtain a health record on each child which includes any immunizations.
-Provider is responsible to maintain current and accurate health record.

Nutrition Policy

-MI Department of Education is state sponsor for USDA CACFP.
-Nutritional guidelines comply with USDA CACFP.

Smoking Policy

-Smoking allowed without specific restrictions; however, if it is felt to be hazardous, there are rules which address the safety of the premises.

Emergency Medical Consent Policy

-Form is required.
-Notarization is encouraged because hospitals are more likely to trust it if it has been notarized.

Infant Care Programs

-No special regulations.

Sick Child Care Programs

-In FDCH and GDCH, no complete prohibition against sick children unlike centers.
-Isolate the child, if necessary.
-Report to parent immediately re: sickness.
-Written permission from parent required for administering medication.

Special Needs Care Programs

-No special regulations.

Before and After School Programs

-No special regulations.

-Overlap time for the integration of school age children into a family day care home caring for younger children is not allowed; child/staff ratio must be maintained at all times.

National Life Safety Fire Code

-Not adopted.

Zoning

-FDCH and GDCH are expected to comply with local ordinances. However, a license or certificate of registration will be issued as licensing law does not require such compliance.

Available Resources

-Child Care Coordinating Council (4 C's).

Local Contact

-The Dept. of Social Services office in the county in which one lives.

Pending Legislation

-Proposal for regulation of family day care homes.

MINNESOTA

Information
Supplied By: Donna Johnson
Division of Licensing
Dept. of Human Services
444 Lafayette Road
St. Paul, MN 55155-3842
PHONE: (612) 296-3971
FAX: (612) 296-3299

Number of Homes

-14,410 family and group day care homes [MN does not break it down.]

Regulations and Requirements

- FDC providers required to be licensed; no fee.
- Licenses are renewed annually through reapplication procedure.
- Staff ratios are: 1:6, maximum of 3 infants; 1:8, maximum of 2 infants; 1:10, no more than total of 4 may be infants and toddlers with maximum of 3 infants, and at least 4 must be school-age. (Infants defined by MN as 12 months and under, toddlers as 12-30 months.)
- Ratios include provider's own children 11 years of age and under.
- Liability insurance strongly encouraged; if provider has insurance less than $100,000/person and $250,000/occurrence, or no insurance, written notice of level of coverage must be given to and signed by parents of each child in day care home.
- Substitute caregivers restricted to 30 days per 12 month period.
- Day care homes inspected prior to licensing; subsequent visits at annual relicensing-advance notice may be given.
- Space requirements: Inside - 35 sq. ft. per child; outside - 50 sq. ft. per child.
- **Group Day Care Homes:**
  - May care for 10, 12, or 14 children.
  - Must adhere to following staff ratios:
    10 children: maximum of 3 infants and toddlers--only 2 may be infants; 2 must be school age; one provider.
    12 children: maximum of 2 infants and toddlers--only 1 may be an infant; 2 must be school age; one provider.
    14 children: maximum of 4 infants and toddlers--only 3 may infants; 2 must be school age; two providers.

Training and Orientation

- No training required before license granted; provider must have 9 hours of CPR within 1 year of or 1 year prior to licensing, in addition to 6 hours of child development.
- GFDC providers must meet one of three separate qualification requirements to begin GDCH care; the first option is a minimum of 1 year's experience as a licensed FDC provider and the other two options are combinations of experience as a provider, teaching assistant, nurse, etc. coupled with specified hours of training or child development education.

Provider Qualifications
-FDC provider must be at least 18 years old.
-Provider and all adult caregivers assisting with care must have physical exam within 12 months of licensing.
-Criminal record checks required; statute currently does not allow expenses for criminal records' checks to be passed on to the provider.

Complaint Procedure
-Complaints are handled by the county social service agencies who are responsible for initial licensing, relicensing and investigation of complaints.
-When a complaints is filed, the county may or may not make an unannounced visit; however, many county agencies make unannounced visits.
-Depending on the nature and severity of the violation, the sanctions may be a correction order, probation, suspension, suspension followed by probation, revocation, or immediate suspension.

Discipline Policy
-Corporal punishment prohibited.

Immunization Policy
-Children must be immunized.
-Provider is responsible for having current immunizations records which are checked annually at relicensing by social workers or relicensing worker.

Nutrition Policy
-MN Department of Education is state sponsor for USDA CACFP.
-Most providers participate in CACFP; if they don't, sample menus are provided.

Smoking Policy
-Smoking is allowed; legislation is pending which would restrict smoking in licensed day care home during day care hours.
-Legislation passed prohibiting smoking during day care hours effective 3/1/94.

Emergency Medical Consent Policy
-Medical consent form required; but it does not have to be notarized.

Infant Care Programs
-No special regulations.

Sick Child Care Programs
-No special regulations; A provider can decide for herself if she will accept a sick child into her home.

Special Needs Care Programs
-No special regulations.

Before and After School Programs
-Homes that care for only school age children are not required to be licensed by statute.
-No policy regarding overlap time for integration of school age children into the family day care home; child/staff ratios must be maintained at all times.

National Life Safety Fire Code
-Not adopted.

Zoning
-1990 Legislature made FDC for 14 or less children a permitted single-family residential use.

Available Resources
-A list is available of county associations and state association, and food programs within the county.

Local Contact
-County Department of Social Services for family day care homes.

Pending Legislation
-None.

MISSISSIPPI**

Information
Supplied By: Diane Herring, Director
Dept. of Health
Division of Child Care
P.O. Box 1700
Jackson, MS 39215-1700
PHONE: (601) 960-7613
FAX: (601) 960-7948

Number of Homes

-No voluntarily registered homes*
-50 group family day care homes
-33 Title XX homes

Regulations and Requirements

-Voluntary registration for homes caring for 1 - 5 children.
*Even though legislation passed July 1990.
-Annual registration fee of $30, up to $200 depending on the number of children licensed for; for FDCH with less than 6, annual renewal fee of $5 required.
-Liability insurance not required.
-Annual license renewal upon completion of inspections & submission of fee.
-Inspections occur before license is issued; thereafter at least twice a year.
-Space requirements: 35 sq. ft. of usable space per child inside; 70 sq. ft. of fenced area per child outside.
-**Group Day Care Homes:**
-Licensing required.
-Allows up to 6 - 5 children.
-No specific regulations.
-Infant ratio 1:5.

Training and Orientation

-No training or orientation required.

Provider Qualifications

-Provider must be at least 21 years old.
-No physical exam or TB test required; health statement required before licensing.
-Sex offense and child abuse registry checks required.
-Criminal record checked for crime against persons, drugs, child abuse, sex offense, or any other offense related to the job of day care provider.
-Provider or anyone else in the FDCH who lives there or spends a significant amount of time at the day care home when the children are there cannot be carrying an infectious disease.
-Provider cannot be a disabled person who needs a guardian and/or conservator.

Complaint Procedures

-No information available.

Discipline Policy
-Corporal punishment, including spanking is prohibited.

Immunization Policy
-Children must be immunized in licensed homes.

Nutrition Policy
-No information available.

Smoking Policy
-No information available.

Emergency Medical Consent Policy
-Form required in licensed homes, but does not have to be notarized.

Infant Care Programs
-Special regulations about space requirements, diapering and toileting, sleeping, feeding, safety and sanitary procedures, toys and equipment, program activities, and transportation.

Sick Child Care Programs
-Any child with a serious contagious disease must be reported immediately to the local health department officer.
-Day care provider may exclude, isolate, or group together sick child(ren) based on level of sickness and contagiousness, must call parent and request them to pick up their sick child(ren).

Special Needs Care Programs
-No special regulations.

Before and After School Programs
-No special regulations.
-No policy regarding overlap time.

National Life Safety Code
-Self-evaluation by operator incorporates Life Safety Code requirements.

Zoning
-Must comply with local zoning ordinances.

Available Resources
-No information available.

Local Contact
-Health Dept. for Licensure, Welfare for Slot Purchase Funding, Education (State Office) for USDA Assistance.

Pending Legislation
-None.

** Information not re-verified.

MISSOURI

Information
Supplied By: Mary Moberly, State Supervisor
Child Care Licensing Unit
Division of Family Services
P.O. Box 88
Jefferson City, MO 65103
PHONE: (314) 751-2678
FAX: (314) 751-8949

Number of Homes

-2,612 family day care homes

Regulations and Requirements

-Licensing required; renewed biennially.

-Provider may care for maximum of 10 children; providers may obtain a flexible license; ages of children determine necessity of assistant.

-Staff/infant ratio is 1:4.

-Liability insurance is not required.

-Parents required to sign statement indicating that they have seen a copy of the licensing rules.

-Substitute caregiver required before license is given.

-Inspections occur before license is granted; 3 supervisory visits and a renewal inspection required during licensure period. More visits conducted if necessary.

-Space requirements: 35 sq. ft. indoors; 75 sq. ft. outdoors.

Training and Orientation

-12 clock hours per year required.

Provider Qualifications

-FDC provider must be at least 18 years old.

-Physical exams necessary for provider and any family member that resides in the home during day care hours.

-Three written references required.

-No criminal record checks required.

Complaint Procedure

-To file a complaint, telephone or write to the day care licensing representative.

-When a complaint is filed, an unannounced visit is made to the home.

-Consequences depend on the severity; we could have a facility review conference or revocation; no authority for fines.

Discipline Policy

-Corporal punishment prohibited.

Immunization Policy

-State law requires immunizations for children prior to enrollment in day care facilities caring for more than 9 children; this is monitored by the Department of Health.

Nutrition Policy

-MO Department of Health is state sponsoring agency for USDA CACFP.
-Must comply with USDA guidelines.

Smoking Policy

-Smoking is allowed; however, smoking is not allowed in food preparation area, or in child care areas.

Emergency Medical Consent Policy

-Form is required, but it does not need to be notarized.

Infant Care Programs

-No special regulations.

Sick Child Care Programs

-Comprehensive proposed rules and regulations for facilities providing care specifically for ill children.

Special Needs Care Programs

-No special regulations.

Before and After School Programs

-No special regulations; however they hope to develop some.
-On a full vacation day the child may bring a sack lunch only if in a program for school age only.
-Overlap of 1/3 of children may be approved when integrating school age into family day care where younger age children are in care.

National Life Safety Fire Code

-Not adopted.

Zoning

-Providers are responsible to comply with local ordinances.

Available Resources

-Family day care associations and resource and referral agencies.

Local Contact

-Division of Family Services for the individual county.

Pending Legislation

-Requires fire and safety inspection and sanitation inspection for all well known religious organizations.

MONTANA

Information
Supplied By:
Becky Fleming
Day Care Specialist II
Department of Family Services
P.O. Box 8005
Helena, Montana 59604
PHONE: (406) 444-5900
FAX: (406) 444-5956

Number of Homes

-1,193 family day care homes
-533 group day care homes

Regulations and Requirements

-Homes registered for 1-6 children including family's children who are under six years of age; no registration fee.
- ++ Maximum of 3 infants in family home; maximum of 6 infants in group home.
-Registrations renewed annually through reapplication.
-Liability insurance required by law.
-No inspection required before registration; 20% of homes inspected annually.
-Space requirements: 35 sq. ft. inside; 75 sq. ft. outside.
-Group Day Care Homes:
  -Must be registered.
  -Maximum of 12 children with 2 providers.
  -Provider/child ratio - 1:6 for children over age 2.

Training and Orientation

-GDCH: Providers must attend a basic day care orientation within the first 60 days of certification.
-CPR and first aid training is strongly recommended.

Provider Qualifications

-Provider must be at least 18 years old.
-Three written or oral references required.
-No criminal record checks or fingerprinting required; but can be done; depends upon local office discretion.

Complaint Procedure

-Complaints can be received by either DFS or R&R agencies; if taken by R&R is then forwarded to DFS Child Protection Unit or Licensing Rep; investigation follows. If complaint is directed to Licensing Rep, investigation takes place.
-When a complaint is filed, Licensing Rep determines substantiation and takes necessary action which can include an unannounced visit.
-Consequences for operating illegally: $500 fine for regulation violations; suspension or revocation depends upon situation and degree of intent.

Discipline Policy

-Corporal punishment prohibited.

Immunization Policy

-Children are required to be immunized; provider must keep up to date records of the immunizations.

Nutrition Policy

-MT Department of Health is state sponsor for USDA CACFP.
-Nutritious meals must be served; most providers participate in CACFP.

Smoking Policy

-Smoking is allowed; however, current regulatory study mandated by CCDBG is recommending that there be a NO smoking allowed policy.

Emergency Medical Consent Policy

-Forms are required, but they do not have to be notarized.

Infant Care Programs

-Supplemental regulations for infant day care were reprinted in 2/92.
-Each infant shall have a written statement by a physician or county health nurse concerning any special needs and documents child's presence in day care poses no health risk to other children.
-Special regulations regarding diapering, wet or soiled clothing, feeding, bathing, sleeping, transportation, activities, building and space, and equipment.
- ++ Staff/child ratio: 1:4; each child is assigned a primary caregiver; staff must be sufficient so that there is always one adult present and supervising.

Sick Child Care Programs

-No special regulations; currently working on proposed regulations.

Special Needs Care Programs

-Special needs day care is at the paid rate of $12.00/day in family day care and group day care homes, while centers are paid more.

Before and After School Programs

-No special regulations.
-Overlap hours cannot exceed 3 hours per day. In group home situations if registered for 9 or fewer children, only 3 additional children can be served in overlap; registered for 10 or fewer only 4 additional children. In family day care homes no more than 2 children can be served.

National Life Safety Fire Code

-Not adopted.

Zoning

-FDCH and GDCH exempt from conditional use permit requirements; both are legitimate uses of residential property; zoning depends upon the community. Some zoning laws differ community to community.

Available Resources

-CACFP, Montana Child Care Associations, services through R&R's; upon registration are eligible for CCDBG funding.

Local Contact
-Department of Family Services Regional Office.

Pending Legislation
-The state has contracted with the Montana Childcare Association to study the present state regulations for family, group day care and centers. This will be a one year project and will include a review of administrative structure, policies and payment rates.
-HB118 - Admendment to MT Child Care Act: to include sick child care into the definition of a day care facility; passed and becomes effective 10/1/93.

++ DFS will be adopting rules for Infant Only programs. In FDCH, if only infants are cared for, there may be up to 4 babies with no other children in attendance. In GDCH, if only infants are cared for, there may be up to 8 babies with 2 caregivers. No other children can be in attendance.

NEBRASKA

Information
Supplied By: Pat Urzedowski, Asst. Div. Adm.
Child Care and Development Div.
Department of Social Services
P.O. Box 95026
Lincoln, NE 68509
PHONE: (402) 471-9431
FAX: (402) 471-9455

Number of Homes

-3,585 family day care homes
-221 group day care homes

Regulations and Requirements

-Self-certification process for FDC providers; fee is $25 and must be renewed every 2 years; money goes to general fund for Dept. of Social Services.
-FDC providers may care for up to 8 children including their own children under 8 years old; no more than 2 children may be under 18 months old; additionally there may be 2 additional overlap children for not more than 4 hours a day.
-Provider/child ratio: infants only - maximum of 4; mixed ages - maximum of 8, no more than 2 infants at one time; school age only - maximum of 10.
-For FDC random inspections are made of 5% of homes annually; Child Care Resource Specialist is required to make spot check unannounced visit within 60 days of licensure or renewal in addition.
-Liability insurance is not required.
-Space requirements: 35 sq. ft. indoors per child; 50 sq. ft. outdoors per child.
-**Group Day Care Homes:**
  -Provider/child ratio: 9-12 children with 2 providers and if more than 2 infants are presents, or 8 or fewer children with 1 adult, maximum of 4 infants in mixed age Group Day Care Homes; infants only - 3 caregivers to 12 infants or 2 caregivers to 8 infants.
  -Must be inspected by Fire Marshal, Dept. of Health, and Dept. of Social Services prior to license issuance.

Training and Orientation

-FDC providers not required to have training except for CPR/First Aid training.
-GDCH Providers must meet one of following:
  -2 years experience as a licensed family day care home provider;
  -1 year in GDCH experience;
  -2 credit hours or 20 clock hours in early childhood education, child development, or child care administration.

Provider Qualifications

-FDC provider must be at least 19 years old.
-Physical exam including blood pressure, urinalysis, self-disclosure statement on substance abuse and treatment for mental health problems.

-Three written references required.
-Some cities have permit requirements which includes criminal records check.

Complaint Procedure

-To file a complaint, call or write the Department of Social Services, Child Care and Development Division.
-Investigate allegations by an unannounced visit and unannounced follow-up visits if necessary.
-Consequences are dependent upon the nature of the violations; may range from issuance of noncompliance report to emergency order which immediately revokes the license.

Discipline Policy

-Corporal punishment in form of an open hand on the buttocks is allowed in FDCH with written permission from parents.
-Corporal punishment prohibited in GDCH.

Immunization Policy

-Immunization regulated by Department of Health.

Nutrition Policy

-NE Department of Education is state sponsor for USDA CACFP.
-Nutritional guidelines comply with USDA CACFP.

Smoking Policy

-Smoking allowed with restrictions; in family day care not while providing direct care; in group day care homes, air purifier must be used if smoking in home.

Infant Care Programs

-Section of regulations pertain to those providing infant care.

Sick Child Care Programs

-No special regulations.

Special Needs Care Programs

-No special regulations.

Before and After School Programs

-No special regulations.

Emergency Medical Consent Policy

-Forms are required, but they do not have to be notarized.

National Life Safety Fire Code

-Has been in place for both FDCH and GDCH.

Zoning

-In 1991 LB836 was passed, the Quality Child Care Act, one provision of which prohibits cities and communities from imposing zoning ordinances that prohibit family day care.
-No specific regulations pertaining to zoning.

Available Resources

-Information on local organizations, consultations and technical assistance on quality care, and training and information on available grants.

Local Contact

-There are Child Care Resource Specialists in 10 locations throughout the State.
-There are 50 Registration Clerks throughout the State DSS offices.

Pending Legislation

-Looking at changing the name Family Day Care Home to Family Child Care - Small and Group Family Day Care Home to Family Child Care - Large.
-The department is working to establish a core set of regulations with specific guidelines for specialized kinds of issues to be written and promulgated in 1992/1993.
-Pending legislation recently introduced involving provisional and probationary licenses.

NEVADA

Information
Supplied By: Patricia J. Hedgecoth, Chief
Bureau of Services for Child Care
711 E. Fifth Street
Carson City, NV 89710
PHONE: (702) 687-5911

Number of Homes

-460 family child care homes
-30 group family care homes

Regulations and Requirements

-Licensing by State requirements when caring for 5 or more children for compensation.*
-Licensing fees: 6 or less children - $20; 7-12 children - $60.
-Licenses renewed annually.
-FDC providers may care for maximum of 6 children, not including family members; maximum of 4 children under 2 years of age, 2 children under 1 year.
-Liability insurance required.
-Substitute caregiver required, providers must give the name and phone number of the substitute to the licensing agency with proof of FBI check.
-Initial inspections prior to licensure; subsequent inspections throughout year with minimum of 2 per year - inspections are random, no advance notice.
-Space requirements: 35 sq. ft. per child inside usable space; 37 1/2 sq. ft. per child outside.
-Group Day Care Homes:
  -Known as Group Care Home.
  -7-12 children must be cared for by a minimum of 2 providers.
  -Provider/child ratio of 1:6 maintained; no more than 8 children under 3 years old and no more than 4 children under 1 year.
  -An additional caretaker must be on duty whenever one or more of the following conditions exist:
    -More than six children are in the facility;
    -More than four of the children are less than 2 years of age;
    -More than two of the children are less than 1 year of age.

Training and Orientation

-Providers must take an initial 3 hours of training within the first six months of licensing; 3 hours of continuing education annually follows.

Provider Qualifications

-Owner must be 18 years old. The facility may not be operated without a caregiver a minimum of 18 years old on the premises.
-Caregivers must be at least 16 years old and have had a Child Development course if under 18 years of age. No more than 50% may be under 18 years.
-Physical exams not required; TB test is required, renewable every 2 years.

-FBI background checks conducted on all licensees and adult family members living in home, renewable every 6 years.

Complaint Procedure

-To file a complaint, register with licensing entity.
-When a complaint is filed, follow-up procedure is dependent upon nature of complaint.
-Consequences are dependent upon regulation section(s) out-of-compliance.

Discipline Policy

-Corporal punishment prohibited.

Immunization Policy

-Provider must obtain and maintain on premises a current immunization record for each child prior to their admittance. Provider is responsible for seeing that the parent keeps child's immunization record current.

Nutrition Policy

-NV Department of Education is state sponsor for USDA CACFP.
-Meals and snacks must be of a quality and quantity which supplements the food served at home. Cultural and ethnic foods which are appropriate for children must be considered in planning meals. Further specific guidelines are required.

Smoking Policy

-Smoking is allowed in family child care; prohibited in group homes unless an assigned smoking area is approved by State fire marshall.

Emergency Medical Consent Policy

-Form is required, but it does not have to be notarized.

Infant Care Programs

-Special regulations adopted.

Sick Child Care Programs

-Special regulations adopted.

Special Needs Care Programs

-Special regulations adopted.

Before and After School Programs

-No special regulations.
-No overlap time policy.

National Life Safety Fire Code

-Adopted by the State Fire Marshal's Office.

Zoning

-Child care homes must comply with local ordinances.

Available Resources

-Training and resources provided by the Bureau.

Local Contact

-Except for localities listed below, contact the Bureau of Services for Child Care (702-687-5911) to get the county or city contact near your area.

Pending Legislation

-None.

*The Bureau of Services for Child Care does not license child care facilities in the localities listed below. Please direct inquiries concerning these facilities to one of the following:

Carson City

Carson City Health Dept.
Environmental Health Svs.
1711 North Roop Street
Carson City, NV 89701
(702) 887-2190

City of Las Vegas (within city limits)

Privilege License Div.
City of Las Vegas
Dept. of Business Activity
400 E. Stewart Ave.
Las Vegas, NV 89101
(702) 229-6281386-6011

Clark County (Unincorporated areas)

Child Welfare Licensing
Clark County Social Services
1600 Pinto Lane
Las Vegas, NV 89106
(702) 455-3894

Washoe County

Washoe Co. Social Svs.
P.O. Box 11130
Reno, NV 89520-0027
(702) 328-2300

NEW HAMPSHIRE**

Information
Supplied By: Sharon Lee, Licensing Supervisor
Bureau of Child Care, Standards and Licensing
Health and Human Services Building
6 Hazen Drive
Concord, NH 03301-6527
PHONE(603) 271-4523

Number of Homes

-370 family day care homes
-130 group day care homes

Regulations and Requirements

-Licensing required; renewed every 3 years.

-In a family day care home, 1 provider may care for any 1 of the following groups of children (includes the provider's own biological or adopted children, foster and resident children up to 10 years of age):

1) 6 preschool children and 3 school age children provided that no more than 3 children shall be under 36 months of age of which no more than 2 shall be under 19 months of age.
2) 5 preschool children and 3 school age children provided that no more than 4 children shall be under 36 months of age of which no more than 2 children shall be under 24 months of age.
3) 4 children under 36 months of age.
4) 6 preschool children and 3 school age children provided that no more than 4 children shall be under 36 months or age of which no more than 2 children shall be under 24 months of age.

-Substitute caregiver required.

-All DCH inspected by health and fire departments; inspection by licensing bureau occurs prior to license being granted and 3 times during 3-year license period; at least one inspection/license period is unannounced.

-National Fire Prevention Code needs to be met, regulated by New Hampshire Dept. of Safety, Fire Marshall's Office.

-Space requirements: Inside - 35 sq. ft. per child; outside - 50 sq. ft. per child; however, homes with less than 50 sq. ft. per child outside are acceptable as long as the outside area is at least 1/3 of the required 50 sq. ft. per child and as long as the area of outside sq. ft. per child never falls below, at any time, 50 sq. ft. for every child outside.

-**Group Day Care Homes:**

- 2 caregivers with 7-12 children and up to an additional 5 school age children; may have up to 4 children under 3 years of age.
- Same provider/infant ratios.

Training and Orientation

-First Aid and Child CPR certification is required.

-FDC providers between 18 and 21 years of age must have a child care vocational course approved by the State Dept. of Education.

Provider Qualifications
-FDC provider must be at least 18 years old.
-Physical exams required every 3 years.
-In-state criminal and child abuse record checks required for provider, staff and for any resident in home over 18 years old.

Complaint Procedure
-To file a complaint, write or phone the Bureau of Child Care Standards and Licensing and give specifics of the complaint.
-When a complaint is filed, an unannounced investigation begins.
-Consequences depend upon severity of violation; routine violations would be issued, summary of findings, and required to submit corrective action plan; more serious violations, i.e. abuse/neglect, or serious health and safety violations might result in action against a license.

Discipline Policy
-Corporal punishment prohibited as is punishment which is humiliating, shaming, frightening or otherwise damaging to children. Children's behavior supported with positive guidance.

Immunization Policy
-Children must be immunized; records must be on file in the home the first day the child attends. The provider is not in compliance with regulations if a child falls behind in immunization status; religious and medical exemptions are allowed.

Nutrition Policy
-NH Department of Education is state sponsor for USDA CACFP.
-Providers must assure children are served meals and snacks equal to USDA CACFP guidelines; if parents supply food, providers must supplement inadequate meals and snacks.

Smoking Policy
-Smoking is not allowed during hours of operation.

Emergency Medical Consent Policy
-Form is required, but it does not have to be notarized.

Infant Care Programs
-No separate special regulations.

Sick Child Care Programs
-No separate special regulations.

Special Needs Care Programs
-Provider must consult for the child's parent(s), physician or other professional source providing services to the child, on an ongoing basis, as designated by the parent in order to obtain written instructions regarding the child's disability and methods of meeting the child's special needs.

Before and After School Programs
-No separate special regulations.
-No overlap time allowed; must be licensed to provide care to school age children; must abide by maximum capacity on license.

National Life Safety Fire Code
-The State Fire Marshall has adopted the National Code.

Zoning
-FDCH and LFDCH must comply with local ordinances, some of which have changed in regards to inspections and zoning fees.

Available Resources
-Food programs, family day care associations, training organizations, resource and referral organizations.

Local Contact
-New Hampshire Division of Public Health Service, Bureau of Child Care Standards and Licensing, or call 1-800-852-3345 ext. 4624, or 1-603-271-4624.

Pending Legislation
-Zoning legislation is pending to assure FDCH aren't zoned out.

** Information not re-verified.

NEW JERSEY

Information
Supplied By: Richard Crane, Acting Chief
Bureau of Licensing
Division of Youth and Family Services
CN 717
Trenton, NJ 08625
PHONE: (609) 292-1018
FAX: (609) 292-6976

Number of Homes

-4,000 voluntary registered family day care homes

Regulations and Requirements

-New Jersey has a two-tiered system of regulation: The New Jersey Division of Youth and Family Services (DYFS) inspects, approves and contracts with Family Day Care Sponsoring Organizations; these organizations then inspect, monitor and register FDC providers.

-Each sponsoring organization has a designated geographical area that it is responsible for (one or more counties).

-In addition, there are Family Day Care networks that can be private for profit or non-profit who screen, train and approve family day care homes but do not have the State contract to issue the registration certificate.

-Providers participating in the voluntary registration program must obtain a Certificate of Registration; renewable every 3 years ($25 fee, which is used by sponsoring organizations to support registration programs).

-Provider/child ratio is 1:5; 3 additional children are allowed if they reside in the home or are the assistant's or substitute's children; provider/infant ratio is 1:3. (See further explanation below.)

-Inspections are done prior to certification and then once every 2 years, plus 20% random sample inspected annually.

-Providers that do not participate in the voluntary registration program have no regulations or requirements to meet, but do not accrue the benefits of FDC registration, including referrals of consumers through the State Resource and Referral System.

-Liability insurance is not required but most FDC networks make it available to the providers in their network either by paying the premium for the provider or by collecting the premium from the provider and submitting it to the insurance agency.

-New Jersey has no LFDCH; programs serving 6 or more children under age 13 must be licensed as a child care center.

Training and Orientation

-6 hours of pre-service training before a Certificate of Rregistration is issued; topics include child development, discipline, safety, first aid, health, nutrition, program activities, and parent-provider communication.

-2 hours of in-service training required annually.

Provider Qualifications
- FDC providers must be 18 years old.
- Medical statement including Mantoux test.
- Two written references required.
- Self-disclosure of criminal convictions of the provider, provider substitute, assistant, and all members of the provider household over 14 years of age.

Complaint Procedure
- Complaints may be made by telephone, in writing or in person to the sponsoring agency. Complaints may be made anonymously. Institutional Abuse Investigation Unit in the DYFS receives and investigates complaints alleging child abuse or neglect in registered homes.
- When a complaint has been filed, the sponsoring organization's investigation may include a home visit as necessary and this visit is unannounced.
- Consequences: The provider is given an opportunity to abate the violations; repeated and/or unabated violations may result in suspension, revocation or refusal to renew the registration.

Discipline Policy
- Corporal punishment prohibited.

Immunization Policy
- Registered providers are required to have children's immunization records on file. Parents are responsible for keeping the records current.

Nutrition Policy
- NJ Department of Education is state sponsor for USDA CACFP.
- Nutritious meals and snacks are required at appropriate times; specific menu components are not specified in the family day care registration regulations.

Smoking Policy
- Smoking is allowed without restrictions.

Emergency Medical Consent Policy
- Form is required, but it does not have to be notarized.

Infant Care Programs
- No special regulations.

Sick Child Care Programs
- No special regulations.

Special Needs Care Programs
- No special regulations.

Before and After School Programs
- No special regulations.
- No policy on time overlap for integration of before and after school children into family day care home caring for young children at other times.

National Life Safety Fire Code

-Not adopted.

-However, safety and fire prevention provisions are included in the registration regulations, and all homes must meet applicable provisions of the New Jersey Uniform Fire Code.

Zoning

-Zoning law deems FDCH's are a permitted use in residential zones, condominiums, cooperatives and horizontal property regimes.

Available Resources

-Sponsoring organizations offer a variety of resources based on local availability; these may include CACFP, provider associations, insurance plans, private networks, training workshops, lending library, equipment loan, etc.

Local Contact

-Family day care sponsoring organizations, which may be public agencies or private non-profit organizations.

Pending Legislation

-A provision of the zoning law that required fingerprint background checks for registered family day care providers has been postponed until 1994 by a legislative amendment.

-Pending legislation would modify the definition of family day care home to exclude in-home care and shared care, and to require the provider to live in the home.

-The registration regulations will expire on November 7, 1993, in keeping with State "sunset" provisions. Amendements are planned that will simplify the provisions on maximum number of children permitted in the home, and modify some other provisions.

Maximum Numbers of Children Permitted in the Home Without a Provider Assistant

	Infants		Toddlers		Preschoolers		School Agers
Total:	2	and	1	and	0	and	5
	2	and	1	and	1	and	4
	2	and	1	and	2	and	3
	3	and	0	and	0	and	5
	0	and	4	and	0	and	4

	Infants		Toddlers		Preschoolers and School Agers Combined
Total:	0	and	1	and	7
	0	and	2	and	6
	0	and	3	and	5
	0	and	0	and	8
	1	and	0	and	7
	1	and	1	and	6
	1	and	2	and	5
	2	and	0	and	6

Maximum Numbers of Children Permitted in the Home WITH a Provider Assistant

	Infants		Toddlers		Preschoolers		School Agers
Total:	2	and	1	and	3	and	2

	Infants		Toddlers		Preschoolers and School Agers Combined
Total:	1	and	3	and	4
	2	and	2	and	4
	0	and	4	and	4
	0	and	5	and	3
	0	and	6	and	2
	0	and	7	and	1
	0	and	8	and	0

	Infants		Toddlers, Preschoolers, and School Agers Combined
Total:	3	and	5
	4	and	4
	5	and	3
	6	and	2
	7	and	1
	8	and	0

-Infants refers to children under 15 months of age, including children residing in the provider's home.

-Toddlers refers to children aged 15 months to two years, including children residing in the provider's home.

-Preschoolers refers to children aged two to six years, including children residing in the provider's home.

-School Agers refers to children aged six to 14 years, excluding children residing in the provider's home.

Family Day Care Sponsoring Organizations

Atlantic Atlantic County Women's Center	(609) 646-6071
Bergen Bergen County Office for Children	(201) 646-3694
Burlington Children's Home Society	(609) 695-6274
Camden Camden County Division of Children's Services	(609) 968-4260
Cape May or Gloucester Family Day Care of Gloucester County, Inc.	(609) 589-0260
Cumberland Martin Luther King Academy	(609) 692-6012

Essex	Programs for Parents	(201) 857-5177
Hudson, Passaic or Sussex	North Jersey Community Coordinated Child Care	(201) 684-1904
Hunterdon	Child Care Channels	(908) 782-7905
Mercer	Child Care Connection, Inc.	(609) 737-3945
Middlesex	Middlesex County Board of Social Services	(908) 745-3500
Monmouth	United Way of Monmouth County	(908) 938-5612
Morris	Children's Services of Morris County	(201) 927-6060
Ocean	CHS Child Care	(980) 905-6363
Salem	Educational Information and Resource Center	(609) 582-8282
Somerset	Child Care Connection, Inc.	(908) 725-2059
Union	Community Coordinated Child Care of Union County	(908) 923-1433
Warren	Child Care Channels	(908) 454-2074

NEW MEXICO

Information
Supplied By:

Stephen M. Borland, Chief
Child Care Licensing Bureau
P. O. Drawer 5160
Santa Fe, NM 87502-6110
PHONE: (505) 827-7687
FAX: (505) 827-9978

Number of Homes

-104 family day care homes
-142 group day care homes

Regulations and Requirements

-Licensing required for providers caring for 5 or more children; $15 annual licensing fee with renewal.
-FDCH may have maximum of 6 children with no more than 2 under the age of 2, includes provider's children under age 6.
-Provider/child ratios: infants, toddlers, preschoolers, and schoolage - 1:6 and 2:7-12.
-Liability insurance not required.
-Inspections occur before licensure and semi-annually thereafter.
-Space requirements: Inside- 35 sq. ft. of activity area per child; outside- 60 sq. ft. per child for 20% of the licensed capacity.
-Group Day Care Homes:
 -7-12 children may be cared for with maximum of 4 under age 2.
 -Provider/child ratio is 1:6.

Training and Orientation

-Training required for FDC and GDCH providers.
-FDC: Providers must have 6 hours training annually in topics such as first aid, sanitation, nutrition, etc.
-GDCH: Providers must have 12 hours training annually; 6 hours will cover topics covered with FDC providers and the other 6 will be in child growth and development.

Provider Qualifications

-Day care provider must be 18 years old.
-Initial TB test required.
-Criminal record checks and fingerprinting required for provider and household members over 18 years old; cost is $23 per person. (Paid to the Federal Bureau of Investigations.)

Complaint Procedure

-To file a complaint, call or write the licensing agency; anonymous complaints are accepted.
-When a complaint has been filed, an unannounced visit takes place, with social services if abuse/neglect.

-Consequences: depending on seriousness, can range from license suspension or revocation to plan of correction.

Discipline Policy
-Corporal punishment prohibited.

Immunization Policy
-Children must be immunized; provider must disenroll a child whose records are not current.

Nutrition Policy
-NM Family Nutrition Bureau is state sponsor for USDA CACFP.
-Providers must adhere to CACFP guidelines.

Smoking Policy
-Smoking is not allowed.

Emergency Medical Consent Policy
-Forms are required, but they do not have to be notarized.

Infant Care Programs
-Special regulations are included with the general regulations (in addition to).

Sick Child Care Programs
-Regulations applicable to sick child care are included with general standards.

Special Needs Care Programs
-Special regulations are included with the general regulations (in addition to).

Before and After School Programs
-No special regulations.
-No provision for overlap time integrating before and after school children in the family day care homes; child/staff ratios must be maintained at all times.

National Life Safety Fire Code
-Included as adopted by the state Fire Marshall's Office.

Zoning
-All facilities must comply with local ordinances.

Available Resources
-CACFP and information on available funding.

Local Contact
-First contact should be with the state agency.

Pending Legislation
-Regulations are being revised to meet the deadline of the Child Care Development Block Grant.

NEW YORK

Information
Supplied By: JoAnn Friedell
Department of Social Services
Bureau of Early Childhood Services
40 N. Pearl Street, 11-B
Albany, NY 12243
PHONE: (518) 474-9454
FAX: (518) 474-9617

Number of Homes

-7,766 family day care homes (1992 figure of 10,460 was incorrect)
-776 group family day care homes

Regulations and Requirements

-Family Day Care Homes:

- -Registration required if caring for 3 - 6 children; no fee; registration is for one year the first time and every two years thereafter.
- -No more than 2 children under the age of 2.
- -There may be no more than 5 children if at least 1 child is under 2.
- -Two additional school aged children may be cared for following an on-site visit to determine provider's capability to serve additional children.
- -Liability insurance not required.
- -Parents must have unlimited access to their children while in FDCH.
- -Homes inspected on a 20% random sample basis annually; if there is a complaint for non-compliance, homes must be visited unannounced within 15 days; if there is a complaint of imminent danger, homes must be visited unannounced within 24 hours.
- -Space Requirements: None.

-Group Family Day Care Homes:

- -Two providers care for up to 10 children with no more than 4 being under the age of 2, or up to 12 children if none is under the age of 2.
- -Two additional school aged children may be cared for before and after school hours.
- -GFDC providers required to be licensed; renewed every two years.

Training and Orientation

-Orientation is required.
-15 hours of training approved by DSS is required the first year and 15 hours every two years thereafter.

Provider Qualifications

-FDC provider must be at least 18 years old.
-Health statements and results of TB test required prior to issuing and renewing registration or license.
-References required; screening through the state Central Register of Child Abuse and Maltreatment required.

-Providers must sign sworn statement indicating whether, to the best of their knowledge, they have never been convicted of a crime in New York State or any other jurisdiction.

Complaint Procedure

-To file a complaint, call the statewide 800 child care complaint line or one of 7 regional offices of DSS BECS and provide information on the provider and the nature of the complaint. If the complaint is about suspected child abuse and neglect, individuals can call the 800 child care complaint line and be referred to the State Central Register of Child Abuse and Maltreatment or call the Register's own 800 number.

-The follow-up procedure depends on the nature of the complaint. All complaints are referred to the regional child care offices (or to the Dept. of Health in New York City) for investigation/follow-up. On-site visit if imminent danger (within one day) and/or if regulated provider (within 15 days). If complaint is only that provider is illegal, written notice of obligation to register (within 10 days). Subsequent follow-up depends on provider response.

-Consequences/penalties for violations depend on the nature of the violation; may include issuance of corrective action plan, temporary limitation/suspension, denial, revocation, suspension or limitation of registration/license and fines.

Discipline Policy

-Corporal punishment prohibited.

Immunization Policy

-Children, including the provider's own children, must be immunized; providers must maintain current records.

Nutrition Policy

-As of 10/1/93, NYS Department of Health will be state sponsor for USDA CACFP.

-Regulations require providers to provide plentiful and nutritious meals and snacks which meet the nutritional needs of the children, as per USDA.

Smoking Policy

-Smoking is prohibited in indoor areas and in vehicles while children are being transported.

Emergency Medical Consent Policy

-Forms are required, but they do not have to be notarized.

Infant Care Programs

-No special regulations.

Sick Child Care Programs

-Regulations currently being developed; based on national health and safety performance standards of APHA and AAP.

Special Needs Care Programs

-No special regulations; general prohibition against refusing to admit a disabled child if he/she is eligible for admission, could benefit from participation and reasonable modifications can be made to accommodate the child.

Before and After School Programs

-No special regulations in FDC or GFDC.

-No provision for overlap time in FDC or GFDC.

-Separate regulations for school-age child care programs.

National Life Safety Fire Code

-Not adopted.

Zoning

-FDCH must comply with local ordinances as they apply to family residences in the community.

-GFDC must comply with local ordinances as they apply to family residences in the community. However, if a GFDC is located above the ground floor of a multi-family dwelling that is not fireproof, special zoning requirements apply.

Available Resources

-A Welcome Wagon Kit (FDC only, part of registration), which includes a Redleaf Press FDC starter kit, educational/informational materials, available resources, local and national association information, etc; technical assistance from regional office staff; and training (most at no cost or at minimal cost).

Local Contact

-Individuals interested in becoming providers should contact the Bureau of Early Childhood Services regional office in their area; there are 7 regional offices across NYS.

Pending Legislation

-None.

NORTH CAROLINA**

Information
Supplied By: Talitha Wright
Division of Child Development
701 Barbour Drive
Raleigh, NC 27603
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FAX: (919) 733-1608

Number of Homes

3,248 family day care homes
210 large family day care homes

Regulations and Requirements

- -Registration required for any person providing care for 3-5 preschool children; registered home may also care for 3 additional school aged children; no fees except for $4 initial charge to all new applicants requesting a registration packet.
- -Registration is renewed every 2 years through reapplication and announced home visits by the child care consultant.
- -FDCH are required to meet minimum health, safety, and sanitation regulations.
- -Liability insurance not required.
- -Any provider caring for 6 or more preschoolers must be licensed to operate a large day care home or center.
- -FDCH inspected before initial registration, during announced renewal visits, some random drop-in visits and whenever a complaint is received.
- -Space requirements: None for small family day care homes. For large family day care homes - 25 sq. ft. per child inside, 75 sq. ft. per child outside.
- **-Large Family Day Care Homes:**
  - -Must be licensed; no fee.
  - -Provider/child ratios in LFDCH:

All infants	1:6	2-12 years	1:10
0-4 years	1:6	3-12 years	1:12
0-12 years	1:8	School age	1:15
2-12 years	1:10		

  - -Some extra children allowed in the two weeks before and after school begins and ends.

Training and Orientation

- -First Aid and Child CPR required.
- -FDCH: Complete CPR training, but no certificate required.
- -LFDCH: One year of experience as a caregiver in a day care home or center is required.
- -LFDCH: All staff members must participate annually in up to 20 hours of training related to the care of children. The actual number of hours depends on the total number of previous approved training hours accumulated and educational experience.
- -LFDCH: CPR Certification required.

Provider Qualifications

-FDCH provider must be 18 years old and literate.
-Providers must have biennial TB tests and health statements.
-Providers can have no criminal records of child abuse nor any behaviors or habits that may be harmful to children (e.g., drug or alcohol abuse).
-LFDCH providers must be 21 years old and literate.
-LFDCH providers must have annual TB tests and health statements.

Complaint Procedure

-The Child Care Consultant responsible for that area/home visits to investigate reports of illegal operation and general noncompliance. The investigation of abuse/neglect allegations is done by the Abuse/Neglect Unit.
-NC law requires operators to be given an opportunity to comply. If the situation is extremely hazardous, however, permit can be suspended or an injunction sought. Other penalties include: written warnings, written reprimands, probational status, civil penalties, revocation, denial.

Discipline Policy

-Corporal punishment, and other negative forms of discipline which are threatening, frightening, or otherwise unduly harsh are prohibited.

Immunization Policy

-Children are required to be immunized by public health laws; providers are responsible for ensuring that children are fully immunized prior to enrollment and are kept current.

Smoking Policy

-Smoking is allowed in FDCH without restriction; however, it is not allowed in LFDCH at all.

Nutrition Policy

-NC Department of Public Instruction is state sponsor for USDA CACFP.
-State regulations require nutritious meals and snacks (not just a policy).

Emergency Medical Consent Policy

-Form is required; they must be notarized for small family day care homes, but not for large day care homes.

Infant Care Programs

-No separate regulations.

Sick Child Care Programs

-Large family day care homes must comply with provisions of rules related to serving children with infections or contagious diseases, if they opt to care for those midly ill children.
-Other requirements for serving sick children are part of getting a waiver from the prohibition against sick children in day care.

Special Needs Care Programs

-No separate regulations.

Before and After School Programs

-A provider who cares for only school age children may care for eight children.

-A provider may care for two school age children before and after school not to exceed an overlap period of two hours. However, these children can be cared for all day on school holidays and during the summer; generally overlap is no encouraged.

-State law exempts day care arrangements that operate less than 4 hours per day. If before/after school hours total less than 4, no regulation is required.

National Life Safety Fire Code

-Not adopted.

Zoning

-Must comply with local ordinances.

Available Resources

-Information about CACFP and local associations, if they exist, are shared.

Local Contact

-Division of Facility Services, Child Day Care Section (919) 733-4801.

Pending Legislation

-Bill to exempt drop-in arrangements associated with health spas, bowling alleys, resort hotels, etc. from licensure is pending.

-Bill to exempt child day care arrangements operated by non-public schools has passed the State Senate; not considered by the State House yet.

-Legislation to lower infant/toddler child/staff ratios.

** Information not re-verified

NORTH DAKOTA

Information
Supplied By: Corinne Schock
Office of Human Services
State Capital Building
Bismarck, ND 58505
PHONE: (701) 224-4809
FAX:: (701) 224-2359

Number of Homes

1,028 family day care homes
682 group day care homes

Regulations and Requirements

- -License required for 6 or more children, or for 4 children under 24 months of age.
- -No more than 7 children allowed in a FDCH plus 2 additional school age children before and after school.
- -License fee is $20 for two years; money is used to offset expense of day care licensing worker and day care provider training.
- -Parents must make pre-enrollment visit and have free access to home.
- -Substitute caregivers required; Abuse and Neglect investigation are conducted.
- -Homes inspected before licensing.
- -Space requirements: 35 sq. ft. inside; 75 sq. ft. outside.
- **-Group Day Care Homes:**
  - -Must be licensed with annual renewal; fee is $25.
  - -Staff ratios: 1:4--under 2 1:10-4 years
    1:5--2 years 1:12-5 years
    1:7--3 years 1:18-6 years and up
  - -8-18 children are allowed.
  - -County social services office does inspections and state DHS issues license.

Training and Orientation

- -Education requirements vary for different levels of care.
- -GDCH: Supervisor-CPR certification and 6 hours training/year and caregiver-up to six hours of training depending on percentage of their full-time job.
- -Effective January 1, 1994, family child care operators must have CPR.

Provider Qualifications

- -Provider must be at least 18 years old.
- -Mentally, physically, and emotionally capable of providing care for children.
- -No criminal records check but a Child Abuse and Neglect Records check required.

Complaint Procedure

- -To file a complaint, call the county agency.
- -When a complaint has been filed, there are several procedures depending on the

nature of the compaint; correction order, revocation or injunction, fiscal sanctions.
-Immediate consequences and long term penalties for violations are revocation.

Discipline Policy
-Corporal punishment prohibited.
-Time out, diversion, separation from problem, talking with child about problem, praise for appropriate behavior, and gentle physical restraint are encouraged.

Immunization Policy
-Children must be immunized; provider is responsible to maintain records current.

Nutrition Policy
-ND Department of Public Instruction is state sponsor for USDA CACFP.
-All children present at mealtime shall be served a nutritious meal, including food from each of the four basic food groups; adequate amounts of food shall be provided.

Smoking Policy
-Smoking is not permitted in an early childhood facility at any time during which a child who receives early childhood services from that facility is present and receiving services at that facility.

Emergency Medical Consent Policy
-Form is required, but it does not have to be notarized.

Infant Care Programs
-No separate special regulations.
-Minimum requirements in GDCH.

Sick Child Care Programs
-Regulated by Health Dept. No state regulations. The only sick child care is provided in local hospitals as part of their service to the community.

Special Needs Care Programs
-No separate special regulations.

Before and After School Programs
-In the process of developing separate regulations.
-The overlap policy is that 2 extra school age children are allowed before and after school over license capacity.

National Life Safety Fire Code
-Local agencies adopt their own codes. The National Life Safety Fire Code is enforced in most of state.

Zoning
-FDCH and GDCH must comply with local ordinances.

Available Resources
-CACFP, information about local associations, Early Childhood Training Center, and CCR&R.

Local Contact
-County Social Services.

Pending Legislation
-None.

OHIO

Information
Supplied By: Joan Van Hull, Chief
County Technical Support Section
BCCS - Department of Human Services
65 East State Street, 5th Floor
Columbus, OH 43215
PHONE: (614) 466-7762
FAX: (614) 466-6185

Number of Homes

-6,574 Type B family day care homes
-31 Type A group day care homes

Regulations and Requirements

-Certification for FDCH (Type B) is required for homes that receive public funds and care for 1-6 children.
-Type B homes care for 1-6 children including related children under 6 years of age and no more than 3 may be under 2 years of age.
-Certification is valid for one year and is renewed based on county inspection findings.
-All homes inspected twice a year.
-Space requirements: 35 sq. ft. indoors; 60 sq. ft. per child using space at a time outdoors.
-A new category of day care providers was added under Type B: Type B Family Day Care Home Limited Certification. This certification is issued to adult providers who provide day care for public funded children who are great grandchildren, grandchildren, nieces, nephews or siblings of the provider or the parent's children who are a grandchild, child, niece, or sibling of the provider. The homes are inspected once a year. Certification is valid for two years and there are no space requirements.
-Group Day Care Homes:
  -Also known as Type A homes.
  -Licensing required for homes caring for 7-12 children including children related to licensee under the age of 6 and no more than 3 of whom may be under the age of 6 years when 4 or more children are under 2 years of age.
  -Initial fee of $50 for licenses and a $25 renewal fee; licenses must be renewed every 2 years.

Training and Orientation

-Personnel in Type A homes must have a high school diploma and, unless educationally exempt, must complete 15 hours in-service training annually until 45 hours are completed. Each home must have one person who has completed first aid training.
-The administrator (director) of the Type A home must have a high school diploma, 2 years child care experience or college, and, unless educationally exempt, must complete 15 hours in-service training annually until 45 hours are completed.

-Personnel in Type B homes must complete 12 hours of in-service training during first year of certification and 6 hours annually until 30 hours are completed unless educationally exempt. In addition, each provider must complete a 6 hour Health and Safety in Family Day Care course during first year of certification.
-There are no training requirements for persons certified as Type B Family Day Care Home Limited Providers.

Provider Qualifications
-Provider must be at least 18 years old.
-Signed statement from provider and family members over 18 that they have no criminal record of acts involving children.

Complaint Procedure
-Complaints involving Type B FDCH are to be made to county departments of human services; complaints involving Type A homes are to be directed to ODHS district offices.
-When complaint has been filed, visits may be unannounced or announced; the investigation must begin within five working days of receipt of a complaint; if complaint alleges an immediate risk to children, the investigation shall begin within 24 hours of receipt of the complaint. If complaint alleges child abuse/neglect, county director shall immediately report it to public children services agency.
-Consequences: could ultimately lead to revocation of license or certificate.

Discipline Policy
-Written discipline policy statement must be signed and approved by parents; spanking not permitted in certified type B homes. Spanking is permitted, under certain restrictions, in licensed type A homes.

Immunization Policy
-Immunizations for children not required for Type B limited certification.
-Otherwise children are required to be immunized; CHDS shall ensure the child's immunizations are current.

Nutrition Policy
-OH Department of Education is state sponsor for USDA CACFP.
-Requirements follow USDA guidelines.

Smoking Policy
-Smoking is allowed without restriction.

Emergency Medical Consent Policy
-Form is required, but it does not have to be notarized.

Infant Care Programs
-No special regulations.

Sick Child Care Programs
-Other than a cold and minor symptoms, isolate the child and observe. If more serious symptoms arise, call parents and send the child home.

Special Needs Care Programs

-No special regulations.

-Care of children with disabilities or health conditions must have a written plan for the care of that child which must be approved by the parent and provider.

Before and After School Programs

-New rules for school child centers went into effect 4/1/92.

National Life Safety Fire Code

-Not adopted.

Zoning

-Type B homes can operate in any neighborhood zoned residential.

-Type A homes may be excluded by zoning requirements; face same zoning requirements as centers.

Available Resources

-CACFP, Provider start-up its when requested (includes fire extinguishers, first aid kit), loan of equipment (cribs, playpens).

Local Contact

-For type B homes: County Department of Human Services.

-For type A homes: State Department of Human Services.

Pending Legislation

-SB 38 requires finger printing of day care providers.

OKLAHOMA

Information
Supplied By:
Prins Anderson
DHS Office of Child Care
P.O. Box 25352
Oklahoma City, OK 73125
PHONE: (405) 521-3561
FAX: (405) 528-4786

Number of Homes

-3,237 family day care homes

Regulations and Requirements

-Licensing required; no fee.
-Licenses renewed every two years; homes monitored 3 times per year.
-Provider may care for maximum of 7 children which includes the provider's own children under five years of age and not more than 2 children under age two when only one caregiver is present; with 3 under age two present and one caregiver, maximum number of children allowed is six; with 4 or 5 under the age of two and one caregiver, maximum number of chilren allowed is five.
-When 7 children are in care and more than 2 of those children are under age two, an assistant caregiver shall be present. Other combinations acceptable.
-Liability insurance required for transportation.
-Substitute caregiver required; does not have to be licensed, must be 18 years.
-Inspections of homes occur initially and three times per year.
-Space requirements: 35 sq. ft. per child indoors; 75 sq. ft. outdoors.

Training and Orientation

-Providers must complete a minimum of ten hours training per year; also must complete training in disease and accident prevention, first aid techniques and use of a fire extinguisher within one year of application.

Provider Qualifications

-FDC provider must be 18 years old.
-Initial TB test or chest X-ray required.
-Four written references required.
-Criminal record checks required for new providers after 5-1-93.

Compliant Procedure

-To file a complaint, contact either verbally or in writing a licensing representative--may be anonymous.
-An unannounced monitoring visit is made when a complaint has been filed; usually within one week or sooner if the allegation involves risk to children in care.
-Consequences: Immediate - non-compliance letter, plan of correction, follow-up visit; Long term - revocation of license.

Discipline Policy

-Corporal punishment prohibited.

Immunization Policy
-Children must be immunized; provider must maintain health records including current immunization record; now also includes HIB (Haemophilus Influenza Bacteria, Type B).

Nutrition Policy
-OK Department of Education is state sponsor for USDA CACFP.
-Balanced meals providing 1/3 of daily nutritive requirements; mid-morning and mid-afternoon snacks; caregiver must provide food for all children able to eat regular food.

Smoking Policy
-Smoking is allowed; however, tobacco products shall not be used in areas where children are in care.

Emergency Medical Consent Policy
-Form required, but it does not have to be notarized.

Infant Care Programs
-Special regulations in areas of supervision, routine, bottle feeding, diaper changing, toilet training.

Sick Child Care Programs
-Sick child is isolated and parents are notified; caregiver determines whether or not to provide care depending on the apparent degree of illness, other children present, and facilities available to care for the ill child.

Special Needs Care Programs
-No separate regulations.

Before and After School Programs
-No separate regulations.
-No policy regarding overlap time for integrating school are children into a home caring for younger children.

National Life Safety Fire Code
-No policy.

Zoning
-FDCH must comply with local ordinances.

Available Resources
-Information on CACFP, sample menus, on local associations [if available], videotapes, training opportunities, Good Health Handbook, equipment catalogs, handouts on home safety, carseats, daily activities, behavior/ guidance.

Local Contact
-Dept. of Human Services. Licensing staff is headquartered in 35 of 77 county offices.

Pending Legislation
-None.

OREGON

Information
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Day Care Services, 2nd Floor
Children's Services Division
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Salem, OR 97310-1017
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FAX: (503) 378-3800

Number of Homes

-6,800 (voluntary) family day care homes
-180 (mandatory) group day care homes

Regulations and Requirements

-Registration voluntary and can be renewed every 2 yrs via the mail; no fee.
-Provider may have maximum of 6 day care children with no more than 2, including provider's own children, under 2 years old. Provider may have up to 10 children under age 13 in the day care home only when 4 are either the provider's own children or are school age day care children.
-Liability insurance not required for FDCH or GDCH.
-No home inspections done on FDCH.
-Space requirements: 35 sq. ft. exclusive of bathrooms and hallways and any other space not used regularly by day care children.
-Group Day Care Homes:
 -7-12 children with the following staff ratios:
  -1:4 (4 infants and toddlers)
  -1:4 (3 infants and toddlers/1 pre-school)
  -1:6 (2 infants and toddlers/4 pre-school)
  -1:6 (1 infant and toddler/5 pre-school)
  -1:10 (10 pre-school or school age)
  -1:12 (12, all school age)
 -Required to be certified; $5 annual fee.
 -Certified under rules specifically for this type of facility.
 -Home inspection is made by CSD and local sanitarian.

Training and Orientation

-No training required for FDC providers.
-1-1/2 hours orientation session required for FDC providers.
-GDCH providers receive pre-certification consultation on an individual basis; no specific orientation; 15 clock hours per year of training is required.

Provider Qualifications

-Provider must be at least 18 years old.
-No convictions for crimes against persons and absence of founded child abuse allegation; also, no felony offenses involving controlled substances, or any other offense bearing substantial relation to qualifications, functions of operator, or employee of day care facility.

-Criminal record checks of Oregon law enforcement data required for all adults in the registered or certified family day care homes, and all adults who are in a day care facility for a significant period of time when children are present.

Complaint Procedure

-To file a complaint, call local CSD or statewide 800 #; may also call CCR&R's who then call CSD.
-When a complaint has been filed, it may be mail, telephone call or visit depending on the nature of the complaint.
-Consequences: may be no consequences at all to corrective action plan to suspension.

Discipline Policy

-Corporal punishment prohibited.

Immunization Policy

-Children are required to be immunized; parent is responsible for keeping current.

Nutrition Policy

-OR Department of Education is state sponsor for USDA CACFP.
-Providers must follow USDA guidelines.

Smoking Policy

-Smoking is allowed.

Emergency Medical Consent Policy

-Form is required, but it does not need to be notarized.

Infant Care Programs

-No special regulations.

Sick Child Care Programs

-Provider must keep records of:
 -emergency medical treatment form accepted by local medical facility (noted on form), information and authorization form from parents or guardian, medication administered to the child while in the day care facility, and accidents, injuries, and communicable diseases.
-Ill children not accepted unless all children are from one family.
-Children who become ill at the day care home are isolated until they are picked up by their parents.
-If illness is serious, notify physician named on form, or take the child to the medical facility named on form.
-Parents must be notified when medication is administrated the day it is given, if permission to give medication was granted on an as needed basis.
-For prescription medication, written authorization from parents is required, for nonprescription medication, written instructions from parents is required.

Special Needs Care Programs

-No special regulations.

Before and After School Programs
-No special regulation.
-No policy regarding overlap time for integration of school age children into family day home servicing younger children.

National Life Safety Fire Code
-Not adopted.

Zoning
-FDCH and GDCH are considered residential uses of property for zoning purposes; no restrictions may be imposed on day care homes that are not also placed on other dwellings in residential or commercial zones.

Available Resources
-Food program, CCR&R, professional organization in some areas.

Local Contact
-Statewide Toll Free Number to Central Office, Children's Services Division: 1-800-556-6616, Oregon only.

Pending Legislation
-Family day care rules have been revised and are effective May 1, 1993.

PENNSYLVANIA

Information
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Harrisburg, PA 17105
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FAX: (717) 787-7753

Number of Homes

-6,207 family day care homes
-544 group day care homes

Regulations and Requirements

-Registration required for FDCH caring for 4-6 unrelated children, no more than 2 of whom may be infants and no more than 5 may be a combination of infants and toddlers.
-Providers caring for fewer than 4 unrelated children are exempt from regulation.
-Certificates of registration valid for 2 years.
-Random inspection of 7-10% of registered homes conducted annually.
-Space requirements: No square footage requirements in/out of FDCH.
-Group Day Care Homes:
 -Must meet licensing requirements; no fee.
 -A facility is inspected at least once every twelve months and is licensed for no more than twelve months.
 -Staff ratio varies according to ages and number of children present. No more than 12 children unrelated to the operator may simultaneously recieve care.
 -Space requirement: 40 sq. ft. per child indoor space. The allowable number of children in a space is determined by dividing the total square feet in a space by 40.
 -Must carry liability insurance.

Training and Orientation

-Twelve hours biennial staff training is required for FDC providers.
-Six hours annual training for GDCH providers.

Provider Qualifications

-Providers must be at least 18 years old.
-FDCH provider must have medical exam every 2 years, or more frequently if Dept. of Public Welfare identifies health problem; GDCH provider initial health assessment and every year thereafter.
-Child Abuse Registry clearances and state police clearances required.
-FBI background check is required for potential child care providers residing out of state.
-All family and group day care home primary staff must meet education and training or experience requirements.

Complaint Procedure

-To file a complaint, contact in writing or verbally to regional day care office.

-When a complaint has been filed, regional licen sing representatives investigate regulatory complaints through either an unannounced or announced facility visit.

-The provider is required to develop and implement an acceptable plan of correction for regulatory violations. The Department as the statutory and regulatory right to provide negative sanctions for noncompliance including down grading, denying, revoking and not renewing a license.

Discipline Policy

-No form of physical punishment, including spanking, may be used; disciplinary methods shall not humiliate, shame, or frighten a child.

Immunization Policy

-Children must be immunized according to recommendations of the American Academy of Pediatrics; must also be in compliance with regulations of PA Dept. of Health regarding measles immunizations; dismissed policies must be implemented for non compliance with Department of Health measles immunizations requirement.

Nutrition Policy

-PA Department of Education is state sponsor for USDA CACFP.

-DPW supports the child care feeding program.

Smoking Policy

-Smoking is allowed; however, cigarettes pipes or cigars may not be smoked in a child care space, a play space or a food preparation area when children are in care or when food is being prepared.

Emergency Medical Consent Policy

-Form is required; but it does not have to be notarized.

Infant Care Programs

-Special regulations for infants are addressed within regulation changes; the regulations specific to infants include staff/child ratios, maximum group size, infant stimulation, meals for infants, play area and play surfaces.

Sick Child Care Programs

-State does not have sick child care regulations; providers who offer sick child care comply with the appropriate regulatory chapters (Group Home, Family Home).

Special Needs Care Programs

-Regulations for special needs are identified in a separate chapter.

Before and After School Programs

-The regulations for GDCH provide specific requirements for school age programs. FDCH regulations do not speak to school age.

-No regulations regarding overlap time; child/staff ratios must be maintained at all times.

National Life Safety Fire Code

-Has been adopted; regulations require Labor and Industry firesafety approval in family and group day care homes.

Zoning

-Local, township, and borough ordinances not addressed in current family or group day care regulations.

-Dept. of Public Welfare advises FDCH and GDCH to research the local ordinances.

Available Resources

-No information provided.

Local Contact

-Each regional Dept. of Public Welfare, Office of Children, Youth and Families has a toll-free phone number from anywhere in PA.

Pending Legislation

-None.

RHODE ISLAND

Information
Supplied By:
JoAnne K. Flodin
DCYF - DCS
Day Care Licensing
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Number of Homes

-612 family day care homes
-5 group day care homes.

Regulations and Requirements

-Providers certified at no cost; certification renewable every 2 years; undergo screenings, fire and health inspections and home visits for renewals.
-FDC providers may care for up to 6 children. If care is provided to child under 18 months of age, can care for no more than 4 children under 6 years, no more than 2 of which can be under the age of 18 months.
-Providers may have up to 8 children if there is an approved assistant present; no more than 4 may be under 18 months old. RI considers these homes another category of FDCH, not a GDCH.
-Parents must have unlimited access to FDCH.
-Providers must have two substitute caregivers to call in case of emergency (these people do not have to be certified, but they are screened).
-Homes are inspected before certification and at renewal.
-Space requirements: 35 sq. ft. per child indoors.
-Group Day Care Homes:
 -Licensing is required and must be renewed annually.
 -Up to 12 children may be cared for in a Group Day Care Home.
 -Space requirements: 35 sq. ft. per child indoors; 75 sq. ft. per child outdoors.

Training and Orientation

-Provider must have training and/or experience in caring for children under 6 years of age. 10 hours of training required every 2 years.
-In homes with 8 children, provider and assistant must have this training.
-Training will be required for large family day care providers. 8 hours of training required every year for provider and assistant(s) in group day care home.

Provider Qualifications

-Provider must be at least 18 years old; must be 21 years old for group day care home.
-Physical exams required at certification and at renewal.
-Statewide criminal check made on all adults in provider's home.
-Fingerprinting for nationwide FBI check required for provider and assistants; no cost.

Complaint Procedure
-To file complaint, phone or write the day care licensing unit.
-Allegation is assigned to a worker who makes an unannounced visit to investigate.
-Depending on the nature of the violation, provider might be given time period for correction or certification might be revoked or put on probationary status.

Discipline Policy
-Corporal punishment prohibited.

Immunization Policy
-Children are required to be immunized or in the process of being immunized according to the schedule at initial enrollment; provider is not required to do follow up.

Nutrition Policy
-RI Department of Education is state sponsor for USDA CACFP.
-Must insure that children receive nutritious meals and snacks.

Smoking Policy
-Smoking allowed; restrictions not addressed in regulations.

Emergency Medical Consent Policy
-Form is required; but it does not have to be notarized.

Infant Care Programs
-No special regulations.

Sick Child Care Programs
-Sick child care is allowed in family day care homes. Regulations address the care of sick children.

Special Needs Care Programs
-No special regulations.

Before and After School Programs
-No special regulations; no policy on overlap time; child/staff ratios must be maintained at all times.

National Life Safety Fire Code
-This code has been adopted for family group day care homes - compliance with code is required for licensing.

Zoning
-Comprehensive statewide zoning bill went into effect 1/1/92. It includes a section on family day care homes that allows them to operation in residential areas.

Available Resources
-CACFP, Family Day Care Home Association, Statewide Referral Service, training opportunities, information on conferences.

Local Contact
-Division of Community Services, Dept. of Children, Youth, and Families.

Pending Legislation
-None.

SOUTH CAROLINA**

Information Supplied By:	Helen Baxter and Barbara Yandle Office of Children, Family and Adult Services Department of Social Services Post Office Box 1520 Columbia, SC 29202 PHONE: (803) 734-5740 FAX: (803) 734-6220

Number of Homes

-112 licensed family day care homes
-1,481 registered family day care homes
-340 group day care homes

Regulations and Requirements

-As of June 13, 1991, bill was signed into law whereby FDCH have option of being licensed or registered; if licensed, suggested standards become mandated; Only those homes electing to participate in a federal program can be licensed.
-FDC providers may have maximum of 6 children including family members under 12.
-Registered on a yearly basis; application is submitted each year for renewal. Licensure will be completed on a two year basis if regular.
-References as well as consumer parent statements required for registration.
-Registered FDCH not inspected unless a complaint is received.
-Space requirements: no requirement for registered FDCH. Licensed FDCH - 35 sq. ft. inside and 75 sq. ft. outside per child.
-Licensed FDCH are inspected prior to licensing and twice a year after that.
-Group Day Care Homes:
  -Composed of 7-12 children including family members under 12; if there are 9 or more children present, or 4 are under the age of 2, an additional caregiver must be present.
  -GDCH are inspected prior to licensing and twice a year after that.
  -Provider/child ratios: infants (up to 2 years old) - 1:8; 2 year olds - 1:12; 3 year olds - 1:15; 4 year olds - 1:20; 5 year olds - 1:25.

Training and Orientation

-No training or orientation required.
-Require CPR and basic first aid.

Provider Qualifications

-Registered providers have no requirements; suggested standards are mandated for licensed providers.
-GDCH providers must be at least 21 years old; Caregivers must be 18 years of age but 14 year olds and above can be permitted as caregivers if properly supervised.
-Providers must complete medical statements when submitting applications; physical exam required only if medical problem is apparent for licensed GDCH providers/FDCH providers.

-Three written references from persons unrelated to provider required (GDCH) and (FDCH).
-GDCH providers must have high school diploma/GED/Child Development Associate Credential with at least one year's experience in a licensed/approved child day care facility as a caregiver.
-Criminal history checks are required for all licensed facilities.

Complaint Procedure
-To file a complaint, phone or write Department of Social Services.
-Investigate complaint by an unannounced visit and follow-up monitoring.
-Consequence for violations include continued monitoring and possible closure.

Discipline Policy
-Corporal punishment permitted in licensed homes with written parental consent.

Immunization Policy
-Children in registered family day care homes do not have to be immunized; however, children in licensed homes do have to be and provider is responsible for seeing that records are current.

Nutrition Policy
-No nutritional regulations.
-Sponsors USDA CACFP.

Smoking Policy
-No regulations pertaining to this.

Emergency Medical Consent Policy
-Form is required, but it does not have to be notarized.

Infant Care Program
-No special regulations.

Sick Child Care Program
-Regulations for GDCH same as day care centers.
-Regulations for licensed FDCH.

Special Needs Care Program
-No special regulations.

Before and After School Program
-If operated less than 4 hours a day, this home would not come under the law.
-No policy regarding overlap for integration of school age children into family or group day care home.

National Life Safety Fire Code
-Not adopted.

Zoning
-FDCH and GDCH must comply with local zoning regulations although zoning is not addressed in statutory or regulatory requirements.

Available Resources
-CACFP

Local Contact
-County Department of Social Services.

Pending Legislation
-New regulations for family day care being formulated.

** Information not re-verified.

SOUTH DAKOTA

Information Supplied By:

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Pierre, SD 57501-2291
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FAX: (605) 773-4855

Number of Homes

-890 family day care homes
-49 group day care homes

Regulations and Requirements

-Registration required for providers receiving public funds.
-Maximum number of children allowed: 12 with no more than four children under the age of two years unless assisted by registered helper.
-Provider's children under six years of age must be counted.
-Registration renewal occurs every 2 years; home visit required.
-Home visits are made prior to the issuance of the initial registration certificate. Inspections occur at least one time every two years after the initial registration.
-Space requirements: Only for GFDC- 35 sq. ft. per child indoors, 50 sq. ft. per child outdoors.
-Group Day Care Homes:
 -Licensure required of all providers.
 -May have 13-20 children.
 -Staff ratios: 1:5 ages birth to 3 years.
 1:8 ages 3 years and above.
 -Provider's children under age 6 must be counted.
 -License is effective for 1 year. On-site licensing visits occur before initial license and annually thereafter.
 -Health Department inspects before initial license and annually thereafter for fire, life safety and health compliance.

Training and Orientation

-No orientation.
-Six hours of training every two years for renewal for FDC.
-Ten hours of training annually for license renewal for GDCH.

Provider Qualifications

-Provider must be at least 18 years old for FDC.
-Provider must be at least 21 years of age for GFDC, except that an individual who is at least 18 and has a child development technician diploma or a child development associate certificate may qualify for GDCH.
-Provider must be T.B. tested and have physical exam before beginning operation; household members must have T.B. tests, and children under 18 living in the home must be currently immunized.

-Provider must be T.B. tested and have physical exam before beginning operation; household members must have T.B. tests, and children under 18 living in the home must be currently immunized.
-3 positive references.
-Applicants and all adult household members screened against the State's Central Registry of Child Abuse/Neglect before registration.

Complaint Procedure

-To file a complaint, contact local DSS office of Child Protection Services.
-An investigation is completed and corrective action plan developed or registration is revoked if indicated; unannounced visits are made if complaint indicates.
-Consequences for violation include issuance of corrective action plan; if the children are in eminent danger, may be immediate revocation, may issue provisional registration or revoke registration.

Discipline Policy

-Corporal punishment prohibited.

Immunization Policy

-Children must be immunized; provider is responsible for seeing that immunization record is current.

Nutrition Policy

-SD Department of Education is state sponsor for USDA CACFP.
-Serve foods from the basic four food group.
-Breakfast foods, consisting of fruit/vegetable, bread/cereal, and milk groups, may be substituted for mid-morning snacks.
-Serve nutritious mid-morning and mid-afternoon snacks when there are at least 2 hours between meal and snack.

Smoking Policy

-Smoking allowed with no restrictions in family day care; in GDCH smoking is prohibited inside the building where children are present; smoking area must have source of natural or mechanical ventilation.

Emergency Medical Consent Policy

-Form is required, but it does not have to be notarized.

Infant Care Programs

-No special regulations.

Sick Child Care Programs

-Sick child is to be isolated and parents notified. All parents and Health Dept. must be notified if child contracts contagious disease.

Special Needs Care Programs

-No special regulations.

Before and After School Programs

-No special regulations; presently developing new regulations.

-May have two additional school age children in care before and after school in family day care homes.

-When school age children are present before, during, or after school hours, staff/child ratio may be increased to 1:10 to accommodate the school age children in group family day care homes.

National Life Safety Fire Code

-Office of Fire Marshall implemented rules 1/92 for Group Family Day Care Homes which incorporate Uniform Building Code.

Zoning

-Must comply with local ordinances.

Available Resources

-No information provided.

Local Contact

-State Department of Social Services.

Pending Legislation

-Legislation was passed this year to allow suspension of a registration certificate.

TENNESSEE

Information
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Citizens Plaza
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Nashville, TN 37248-9800
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Number of Homes

-770 family day care homes
-429 large family day care homes
-250 registered family day care homes

Regulations and Requirements

-Licensing required for homes caring for FDCH and LFDCH; fee for FDCH is $5 annually and for LFDCH, $10 annually, money goes to state general fund.
-Licenses renewed annually.
-FDC providers may care for up to 7 children in addition to own; if more than 4 are under age 2, another caregiver required.
-Specific child/staff will be enforced in new standards to be implemented in the summer 1993.
-Liability insurance required only for transportation.
-Homes inspected prior to licensure and subsequent visits occur once a year (one of visits is unannounced); homes with violations inspected quarterly or as needed.
-Space requirements: 30 sq. ft. indoors for LFDCH; local ordinances sometimes specify space outdoors.
-Large Family Day Care Homes:
  -Will change with new standards - Summer 1993.
  -The provider/child ratios are as follows:

6 weeks & up - 1:6	K thru school age - 1:12 (or 15)
3 years & up - 1:12	Any handicapped - 1:6
More than 9 under 3 yrs - 1:4	Handicapped and under 3 years - 1:4

Training and Orientation

-When new standards take effect:
  -FDC providers required to have 4 clock hours in-service training annually.
  -LFDC providers (primary care givers only) required to have 8 hours training in child care annually.
  -Preservice "orientation" (provided by DHS) required to get license.

Provider Qualifications

-Provider must be 18 years old.
-Physical exam required prior to licensing and follow-up exam every 3 years.
-Three written references required.

-No criminal records check or fingerprinting required at present time.
-LFDC primary caregiver must have a high school diploma or equivalent.

Complaint Procedure
-To file a complaint, call DHS and report to licensing staff.
-When a complaint has been filed, may hold until next site visit; will talk to director/owner, may interview collaterals to verify; visit may/may not be unannounced.
-Consequences: 1. Agency is "put on notice" and must submit plan for corrective action; 2. denial/revocation/suspension; 3. If upheld, must close for 60 days, 6 or 12 months based on number of times.

Discipline Policy
-Spanking with open hand on buttocks permitted with written parental permission.
-When new standards are finalized (summer 1993) spanking will be prohibited.

Immunization Policy
-Children are required to be immunized; provider is responsible for seeing that immunization records are current.

Nutrition Policy
-Is state sponsor for USDA CACFP.

Smoking Policy
-Smoking is allowed; however, parents must be informed.

Emergency Medical Consent Policy
-Form is required, but does not have to be notarized.

Infant Care Programs
-No special regulations.

Sick Child Care Programs
-Incorporated with other licensure, standards are pending.

Special Needs Care Programs
-State is in compliance with Sec. 504 of Rehabilitation Act of 1973.

Before and After School Programs
-No special regulations.
-Group day care homes,and others with a helper, can overlap 45 minutes when integrating before and after school children into their day care home. This is not a rule, but an administrative policy.

National Life Safety Fire Code
-Adopted.

Zoning
-Day care homes must comply with local ordinances, but not enforced by licensing staff.

Available Resources

-Preservice and inservice training and technical assistance.

Local Contact

-Dept of Human Services.

Pending Legislation or Policy Change

-A change in procedure took effect in Sept. 1992: Agencies in full compliance at least two years may be re-evaluated every other year, or if accredited, every 3 years. Agency must maintain compliance and receive no valid complaint reports and (because the law requires it) will receive one inspection visit and an annual license.

Demonstration Projects

-Have been conducting a voluntary Family Day Care Registration project (with Dependent Care Grant and later Child Care and Development Block Grant) since October 1990 in 34 counties (TN has 95 counties). Project to be continued for at least another year and expanded to three other areas.

TEXAS

Information
Supplied By:

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Services
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Austin, TX 78714-9030
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Number of Homes

- -13,630 family day care homes
- -1,070 group day care homes

Regulations and Requirements

- -Providers must pay an annual fee of $35 for registration of FDCH, all money goes to General Revenue Fund for the state; registration in effect until revoked or home voluntarily ceases providing care.
- -Registered homes are not required to obtain fire inspection from local or state fire inspector.
- -Homes with 3 or fewer day care children are not required to register.
- -Registered homes may care for 6 children under 14 years of age, and an additional 6 elementary school age children for a total of no more than 12 children including the caregiver's own children.
- -Registered provider may care for up to 4 infants (defined as 18 months or younger); capacity for older children varies depending upon the ages of children and the number of infants.
- -"Parents Guide to Registered Family Homes" must be given to parents.
- -All homes inspected prio to registration; 30% sample per year thereafter.
- -Space Requirements: none.
- **-Group Day Care Homes:**
  - -Licensing required; annual fee of $47, all money goes to General Revenue Fund.
  - -Licensed homes must obtain fire inspection from local or state fire inspector.
  - -Providers can care for up to 12 children under 14 years of age.
  - -With one provider, from 0-4 infants can be cared for with adjustments in the number of toddlers and school age children.
  - -With two providers, from 0-10 infants can be cared for with adjustments in the number of toddlers.
  - -Unannounced inspections at least once per year.
  - -Space Requirements: There must be at least 30 square feet of indoor activity space for each child.

Training and Orientation

- -Registered providers in FDCH's must have 6 hours orientation prior to registration; 20 clock hours per year for all registrants.
- -Licensed providers in GDCH's must have 20 clock hours of training per year.
- -Registered providers must have current certificates of First Aid and CPR of infants and children.

Provider Qualifications

-Registered and licensed providers must be at least 21 years old.
-Criminal record check and a child abuse registry check done prior to registration or licensing; no fee.

Complaint Procedure

-To file a complaint, contact any licensing office.
-When a complaint has been made, visit usually is made and usually unannounced.
-Consequences range from call for correction to revocation.

Discipline Policy

-Corporal punishment prohibited for children under 5; may be used on child over 5 with parental consent. No instrument may be used in delivering punishment.

Immunization Policy

-Children must be immunized; provider is responsible for complying with the requirement and therefore must pressure the parent to stay current.

Nutrition Policy

-TX Department of Human Services is state sponsor for USDA CACFP.
-Standards require nutritious meals and snacks.

Smoking Policy

-Smoking is not allowed.

Emergency Medical Consent Policy

-Form is required, but it does not have to be notarized.

Infant Care Programs

-No special regulations.

Sick Child Care Programs

-Providers must notify parents if child becomes ill while in care and obtain emergency treatment when applicable.
-GDCH homes which are licensed are currently prohibited from caring for sick children unless approved in writing by health personnel. Registered standards do not prohibit care for sick children.
-State considers waivers/variances from licensed providers on prohibition for caring for sick children, and licensed provider usually receives waiver of the standard.

Special Needs Care Programs

-No special regulations.

Before and After School Programs

-No special regulations.
-No policy regarding overlap; child/staff ratios must be maintained at all times.

National Life Safety Fire Code

-Not adopted.

Zoning

-Local ordinance may limit the number of children in care.

Available Resources

-Standard orientation and whatever else may be in or near the community, including associations.

Local Contact

-TX Department of Protective and Regulatory Services.

Pending Legislation

-Bill regarding zoning and deed restriction has been introduced.

-Bill has been introduced to remove exemption of homes with 3 or fewer children from requirement to register.

-Bill introduced requiring any home receiving subsidy to register, regardless of the number of children.

UTAH

Information
Supplied By: Ilene Olson
DHS - Office of Licensing
120 North 200 West, #317
Salt Lake City, UT 84145
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FAX: (801) 538-4016

Number of Homes

-2,443 family day care homes
-221 group day care homes

Regulations and Requirements

-Licensing required; $25 fee plus additional $1.50/child cared for must be paid; money is placed in general fund of the Dept. of Human Services.
-Exempt from licensing if caring for 3 children or less; includes provider's own children under 1st grade age.
-Licenses renewed annually; fees paid annually with renewal.
-Substitutes are not required to be licensed.
-Provider/child ratio:
  infant only - 1 caregiver to 3 infants;
  regular license - 1 caregiver to 2 infants plus 4 children ages two and older; the caregivers own children not in first grade count;
  school-age option - if all children are 2 and older, then 6 children plus 2 school-age children may be cared for. If one child is under age 2, then 6 children plus 1 school-age child may be cared for. In all situations the caregivers own children under first grade age count in the licensed number.
-Homes inspected prior to licensing; department attempts to inspect homes twice a year thereafter.
-Space requirements: FDCH are required to have 35 usable sq. ft. of space per child, free for child activities. 40 sq. ft. of usable outdoor play area per child is required. The caregiver may use other easily accessible outdoor areas if conveniently located.
-**Group Day Care Homes:**
  -7-12 children may be cared for including provider's own under first grade age.
  -Provider/child ratio is 1:6 and provider/infant ratio is 1:2.

Training and Orientation

-Two hours training required for FDCH or GDCH providers before initial licensing.
-State required to offer 12 hours of training to each potential provider, but provider has option of participating in training. Each provider required to attain 6 hours of approved training annually.

Provider Qualifications

-Provider must be 18 years old.
-Physical exams required upon entry of employment.

-Two written references required.
-Child abuse registry check required of potential providers.
-Bureau of Criminal Identification checks required on new provider licensing applicants and at renewal times. If the check shows any criminal activity then fingerprints are required to be done.

Complaint Procedure
-To file a complaint, call licensor at the local DHS office.
-When a complaint has been filed, an unannounced visit is made.
-Consequences: a Monitoring Review Form #810 is completed with a plan of corrective action if necessary. We can condition a license; suspension or revocation are long term penalties.

Discipline Policy
-Corporal punishment prohibited.

Immunization Policy
-Children are required to be immunized; record of the child's immunizations shall be on file, updated as soon as possible or within 60 days.

Nutrition Policy
-UT Office of Education is state sponsor for USDA CACFP.
-Providers must meet USDA nutrition requirements.

Smoking Policy
-Smoking is not allowed.

Emergency Medical Consent Policy
-Form is required, but it does not have to be notarized.

Infant Care Programs
-No special regulations.

Sick Child Care Programs
-No sick child care facilities in the state that are regulated by the State. However, several hospitals provide sick child care to anyone in the community on a 24 hour basis as long as there are nurses and beds available for the care of the children.
-FDC standards state that if a child shows signs of illness after arrival, the provider shall contact the parent immediately, and it is the parents responsibility to pick up their child and provide continued care.

Special Needs Care Programs
-No special regulations

Before and After School Programs
-Standards allow for school age overlap if there is enough space. If there are no children under age 2 in care, two additional school age children may be there. If one child under age 2 is in care, only one extra school year can be in attendance.

National Life Safety Fire Code

-Has not been adopted for family day care homes through the State Office of Licensing. Some local community fire departments are using the Life Safety Code as they check homes. The Building Code Commission is currently proposing that the Life Safety Code not be applied for caregivers taking fewer than 10 children.

Zoning

-Day care homes must comply with local ordinances.

Available Resources

-A list of CACFP sponsors, provider associations, where to obtain tax information and resource and referral agencies.

Local Contact

-Family Day Care Licensing is initiated and completed at the local regional office. The local regional offices are under the umbrella of the Department of Human Services.

Pending Legislation

-None.

VERMONT

Information
Supplied By:
Coleman Baker, Chief
Children's Day Care Licensing Unit
Division of Licensing and Regulation
103 S. Main Street
Waterbury, VT 05671-2401
PHONE: (802) 241-2158
FAX: (802) 241-2980

Number of Homes

- -1,800 (approximate) registered family day care homes
- -20 licensed group day care homes

Regulations and Requirements

- -FDCH providers caring for children from more than 2 families must be registered.
- -Providers in GDCH and most other group settings must be licensed.
- -Registered providers operate small programs in their own homes; licensed providers care for children in their home or at another site.
- -Registration renewed annually by notice from CDCU; licenses may be issued for up to 3 years.
- -Liability insurance required for all licensed providers.
- -Opportunity for two parent/provider conferences per year for licensed providers, for one parent/provider conference per year for school age care programs.
- -Parents have unlimited visitation of day care home without delay.
- -Registered providers care for maximum of 6 children full-time plus additional 4 school-age children for not more than 4 hours per day on a before and/or after school basis, not including provider's children over two years of age; provider to infant ratio is 1:2 including provider's children under age 2 years old.
- -When children are under age two, a 1:3 ratio is allowed in registration, providing no other preschool children in care. Also allows for 2:6.
- -School age children may be in care for a full day when school is closed during school year, or during summer if second adult is on duty before the seventh child arrives, provider's own preschoolers count in summer for 12 option.
- -Registered providers may care for four school age children for full days during the school year when school is not in session.
- -Licensed provider may care for maximum of 6 children with no more than 2 under age 2 including own preschool children.
- -Space requirements: Area must be "sufficient in size to permit children to move about freely" in registered homes. In licensed homes, 35 sq. ft. per child.
- **-Group Homes/Day Care Centers For 12 Or Fewer:**
  - -Licensing required, inspected prior to licensure and annually.
  - -Provider/child ratio is 1:6 in a mixed-age group; provider/infant ratio is 1:2. With all 2 year olds, provider/child ratio is 1:5.

Training and Orientation

- -Six hours of training per year required for licensed providers and staff; training is required in infant/child CPR within first year of registration, training is encouraged in first aid, and child abuse identification.
- -Six hours of training per year plus initial orientation required for all registered providers.
- -Nine hours of training per year for directors and head teachers in licensed group homes.

Provider Qualifications

- -Providers must be at least 18 years old, be able to read, and not have a report of abuse substantiated against them or anyone else residing in the home.
- -No provider nor anyone living in the home can have been convicted of child cruelty or a felony involving a violent act.
- -Three written references from non-related persons required for provider. Three references gained over telephone for assistants required in licensed facilities.
- -Child abuse registry check and criminal record check required of licensees, staff in licensed facilities, registrants, and persons residing in FDCH's.
- -A person responsible for developing and implementing the program in a facility of twelve or fewer children shall have one of the following qualifications:
  - -Child Development Associate (CDA), or
  - -Associates Degree in Early Childhood, or Human/Child Development (includes Pediatric Nursing), or
  - -Two years of successful experience working with groups of children and at least one successfully completed higher education course in early childhood related topics (to be completed within 9 months).
  - -Certified Childcare Professional Early Childhood Education Specialist.
  - -Child Care Certificate from VT Community College or Vo-Tech Program.

Complaint Procedure

- -To file a complaint, call 1-800-540-7942.
- -When a complaint has been filed, an unannounced follow-up to all concerns reported.
- -Consequences: If substantiated, the report of non-compliance will be in provider's electronic record and will be reported to inquiring parents.

Discipline Policy

- -Corporal punishment prohibited.

Immunization Policy

- -Children are required to be immunized; provider is responsible for assuring that immunizations are age appropriate and up to date.

Nutrition Policy

- -VT Department of Education is state sponsor for USDA CACFP.
- -Meals and snacks shall be adequate, nutritious, clean and free from spoilage; emphasis shall be on foods that are unprocessed, low in salt and sugar.

Smoking Policy

- -Smoking is allowed in registered homes, but prohibited in the presence of children.
- -Smoking is prohibited "on the premises" in licensed group homes.

Emergency Medical Consent Policy
-Form is required, but it does not have to be notarized.

Infant Care Programs
-No special regulations.

Sick Child Care Programs
-Not permitted in licensed settings.

Special Needs Care Programs
-Program modifications and emergency procedures related to enrolled children with special needs shall be developed and followed.

Before and After School Programs
-Registered providers can care for 10 school age if all are school age and at least 4 attend for less than 4 hours.
-No overlap time allowed; appropriate child/staff ratio must be maintained.

National Life Safety Fire Code
-Not adopted for registered home; modified NFPA and BOCA for licensed homes.

Zoning
-FDCH for six children or fewer exempt from zoning laws.
-GDCH must comply with local ordinances.

Available Resources
-Orientation and soon to come - a reference manual.

Local Contact
-State office of the Children's Day Care Unit, Division of Licensing and Regulation, 103 S. Main St., Waterbury, VT 05671-2401 [1-802-241-2158], or any Resource or Referral organization.

Pending Legislation
-None.

VIRGINIA

Information
Supplied By: Alfreda Redd
Division of Licensing Program
Department of Social Services
730 E. Broad Street
Richmond, VA 23219
PHONE: (804) 692-1775
FAX: (804) 692-2370

Number of Homes

400 (approximate) family day care homes approved through 5 licensed systems
1,765 city/county regulated (providers/parents receive federal assistance)
552 licensed family day homes
500 **NEW** (voluntary) registered family day care homes

Regulations and Requirements [Proposed]

-Effective July 1, 1993 - "family day home" means a child day program offered in the residence of the provider or the home of any of the children in care for 1 through 12 children under the age of 13, exclusive of the provider's own children and any children who reside in the home, when at least one child receives care for compensation.

-July 1, 1993 - July 1, 1996 - family day homes serving 9 through 12 children exclusive of the provider's own children and any children who reside in the home, shall be licensed.

-Effective July 1, 1996 - family day homes serving 6 through 12 children exclusive of the provider's own children and any children who reside in the home, shall be licensed.

-Renewed annually; $14 licensing fee.

-Infant is defined as a child from birth - 16 months.

-In determining the need for an assistant, the following fixed adult to child ratios shall be maintained for children receiving care. This includes the provider's own and resident children under 8 years of age: 1:4 children under 2 years of age; 1:8 children 2-4 years of age; 1:16 children 4-10 years of age; and children over 10 years of age shall not count in determining the ratio of adults to children.

-In mixed age groups, the provider shall apply the following point system in determining the need for an assistant. Each adult caregiver shall not exceed 16 points. The provider's own and resident children under 8 years of age do count in the point maximums: children under 2 years:4 points each; children 2-4 years:2 points each; children 4-10 years:1 point each; and children over 10 years:0 points.

-Exception - point maximums for mixed age groups or fixed adult:child ratios may be exceeded in one age group by no more than 1 child for up to 1 month during transitional periods when there is turnover in children receiving care and when the ages of children leaving and entering care do not match.

- Family day homes inspected prior to issuance of license and twice a year thereafter; one of these visits is unannounced.
- Family day homes shall comply with any limitations which may be placed by the Uniform Statewide Building Code on the number of children for whom care may be offered.
- If a substitute is caring for the children, parents must sign authorization allowing that; must include name, address and phone number of substitute and provider.
- Liability insurance: completed written agreement with parent acknowledging that parent has been informed of whether the provider does or does not carry liability insurance.
- An operable fire extinuisher shall be near the kitchen; smoke detectors are required on every floor of the home; monthly testing required; also written, posted and practiced emergency plan required.
- Space requirement: each child shall have an adequate amount to allow free movement and active play indoors and outdoors.
- Voluntary Registration: (available for FDCH caring for 5 or fewer unrelated children full time, 5 school age children up to a maximum of 3 hours before or after school, and unlimited relatives - effective until June 30, 1993; then new family day home definition applies after Jul1, 1993); renewed every 2 years; $50 fee.
  - This program is targeted to the small family day care home which is not required to be state licensed; **not available** where the local government already regulates small family day care homes.
  - Provider ratio - 1:9 children including relatives; school age children 10 years of age and older do not count. Of the 9, 1:6 children under school age; no more than 5 under 31 months even when an assistant is present; and no more than 3 under 16 months. The adult to child ratios for voluntary registration shall be the same as those for licensed day homes effective 11/1/93.
  - Homes that are not participating in USDA CACFP are monitored on a 10% random sample every two years by contracting voluntary registration agency.
  - If a complaint is received, a home is visited.
  - Space requirements: none.
- All day care facilities must meet health and safety checklist requirements, and building codes.
- Other Regulating Entities:
  - City/County Registered or Certified: some cities or counties have their own regulations -- most mandatory, one volunteer.
  - System Approved: The State licenses systems to approve family day care homes which are part of that system.

Training and Orientation [Proposed to become effective November 1, 1993]

- Licensed providers:
  - Training is offered by the Department, from application fees collected. Licensed provider must attend at least 6 hours of training a year; written documentation of annual training shall be maintained on file for two years.
  - Shall obtain first aid certification within 6 months of licensure and maintain current from ARC, AHA, National Safety Council or First Aid Training Institute; exception provider who is RN or LPN with a current license from Board of Nursing does not have to obtain.

-Voluntary registered providers:
  -Increases access to training and to information about training through the contract agency or the DSS.
-Other Regulating Entities:
  -As specified by the local government regulating body or state licensed system.

Provider Qualifications
-Family Day Home Providers [Proposed to become effective November 1, 1993]
-Must be at least 18 years old.
-An assistant must be at least 14 years old and helps the family day home provider; assistant under 18 years cannot be left alone with the children.
-All must be able to read, understand and carry out the responsibilities of the requirements.
-The ability to speak and write in English as necessary to meet the requirements of the regulations.
-The ability of provide activities and experiences daily, what will enhance the total development of children; an understanding of the varying capabilities, interests, needs and problems of children in care; the ability to relate to children with courtesy, respect, patience, and affection, and an understanding and respect for the families of the children in care; the ability to understand instructions on prescription and nonprescription medicines, handle emergencies with dependability and sound judgement, and communicate effectively with emergency personnel.
-TB skin tests required for provider and any assistants and substitutes, and for any adults (18 years & older) living in the home who will be in contact with the children or with food served to children within 90 days of licensure or employement; individual must submit a statement signed by physician or local health department stating he/she is free of tuberculosis.
  -If individual has a positive reaction, but physician certified there absence of communicable disease, individual shall obtain check x-rays on an annual basis for the following two years and every two years thereafter.
  -If individual has a negative reaction, additional screening required every two years thereafter.
-Medical examinations may be required at the request of the provider or the DSS when there is an indication that the safety of children in care may be in jeopardy by the physical or mental health of the individual; appropriate action may be taken if jeopardy is substantiated.
-References required (standards do not specify number) for licensed providers.
-Criminal records checks and Child Protective Services Central Registry clearances are required of providers, assistants, substitutes and any adults living in the home not more than 90 days before the date of the initial application; no person convicted of a crime involving child abuse, child neglect or moral turpitude shall be a care giver.
-Substitutes must be 18 years old and meet the same requirements as family day home providers; also must be approved by DSS.
-Registration also requires a criminal records check and a child protective services clearance for the provider, any assistants or substitutes, and any adult members of the household.
-Voluntary registered providers must complete/sign Health and Safety Checklist.
-Local government or state licensed systems may have additional qualifications.

Complaint Procedure

-No information available.

Discipline Policy

-Licensed Homes - [Proposed to become effective November 1, 1993]

- -Children in care shall not be shaken or bounced vigorously at any time; NOT ALLOWED: hitting, spanking, beating, shaking, pinching, or other measures that produce physical pain; forcing, withdrawing or threatening to force or withdraw food, rest or bathroom opportunities; abusive and profane language; any form of public or private humiliation, including threats of physical punishment and any form of emotional abuse, including rejecting, terrorizing, ignoring, or currupting a child.
- -Children shall not be physically restrained except as needed for safety.
- -If separation is used as a means of discipline, it shall not exceed one minute for each year of the child's age and not be used at all for infants.
- -No child shall be confined in a space that the child cannot open such as closets, locked rooms, etc.
- -Children cannot be punished for toileting accidents.

-Regulations for voluntary registration restrict the use of physical (corporal) punishment and emotional abuse in the family day care home.

Immunization Policy

-Children are required to be have a medical examination and be immunized prior to admission or within 30 days after admission, as follows: within 60 days prior to admission for children 6 months or younger, withing 90 days for children 7-18 months, withing 6 months for children 19-24 months, within 12 months for children 2-5 years and within 24 months for children 6 years old and above; religious exemptions can apply.

-Provider is responsible to see that records are current.

Smoking Policy

-Licensed homes - a smoke-free environment must be provided in rooms accessible to children while children are in care.

-Policy is the same on health/safety checklist for voluntary registration.

-Smoking is allowed in small family day care homes.

Nutrition Policy

-VA does not have a state sponsor for USDA CACFP; supervision is directly from the regional USDA office.

-Nutrition requirements for licensed homes meet USDA guidelines.

Emergency Medical Consent Policy

-Form is required, but it does not have to be notarized.

Infant Care Programs

-No separate regulations; included in general regulations.

Sick Child Care Programs [Proposed to become effective November 1, 1993]

-A child shall be excluded from a family day home if they have evidence of body temperature of 101 degrees or recurrent vomiting or diarrhea, or symptoms of a communicable disease as delineated in the current Communicable Disease Chart.

-Other rules included in general regulations.

Special Needs Care Programs
-No separate regulations; facilities must comply with the guidelines of the Americans with Disabilities Act.

Before and After School Programs
-No separate regulations.
-No policy regarding overlap time.

National Life Safety Fire Code
-Not adopted.

Zoning
-FDCH must comply with local ordinances but compliance with local zoning requirements is not a prerequisite for state licensing.
-Potential problem: Technical review board of Housing & Community Development is intrepreting family day care homes as "institutional" rather than "residential;" change is being worked on.

Available Resources
-Child care media resource libraries, training sessions, quarterly newsletter, information about food programs, and information about state and local family day care associations

Local Contact
-The Division of Licensing Programs, Virginia Dept. of Social Services Regional Offices: Lynchburg, Fairfax, Richmond, Roanoke, Abingdon, Virginia Beach, Verona.

Pending Legislation
-No pending legislation, but the Division of Licensing Programs will be promulgating new family day home licensing regulations which incorporate changes that were mandated winter 1993 by state legislature to be implemented by November, 1993. It will also be promulgating permanent regulations (to replace emergency regulations) for voluntary registration by July, 1993.

WASHINGTON**

Information
Supplied By: Pat Dickason, Program Manager
Office of Child Care Policy
DS/H Services, OB-41
P.O. Box 45710
Olympia, WA 98504
PHONE: (206) 721-4079
FAX: (206) 586-1040

Number of Homes

-4,700 family day care homes
-3,500 group day care homes

Regulations and Requirements

-Licenses required for FDCH; fee is $24 annually.
-Providers may care for up to 12 children with a qualified assistant.
-Provider with one year of experience may care for ten children alone if none are under five years of age.
-Maximum of 4 children under 2 years of age allowed in a FDCH with an assistant, two years of experience and an ECE course.
-Licenses renewed at 3 year intervals.
-Liability insurance required for transportation only.
-Substitute caregiver and backup are required.
-Developmentally appropriate activities and routines are required.
-Homes inspected prior to licensing and are only revisited in response to a complaint or for licensing renewal.
-Space requirements: Adequate space for child play shall be available both indoors and outdoors. There shall be a minimum of 35 sq. ft. per child of indoor play area available.
-**Group Day Care Homes:**
  -May have up to 12 children including provider's own children.
  -Must be 2 providers when: there are more than 2 children under age of 2; 7 or more children are in care and any child is under age 2; or, more than 10 children are in care.

Training and Orientation

-FDC providers are required to attend 5 hours of orientation.
-GFDC providers must have one course in early childhood education and two years experience in child care to care for 12 children.
-First aid and CPR and HIV/AIDS training required for all providers.
-Guidebook provided for each family day care provider; explains the regulations and offers developmentally appropriate suggestions and resources.

Provider Qualifications

-Provider must be at least 18 years old.
-Three references are required.
-One class in Early Childhood Education if required for larger capacity.

-Criminal history background check done on applicant, assistant, volunteer, or member of household 16 years or older.

Complaint Procedure

-To file a complaint, a telephone call is sufficient, either to general intake or a licensor.

-If child abuse or neglect is alleged, CPS coordinates an investigation and enlists/informs licensing. Other types of complaints require an on-site inspection, usually unannounced.

-Providers are cited for non-compliance; can be and usually are put on "no referral" status through the R&R; valid complaints can be disclosed if the general public inquires; in extreme cases, action can be/is taken to suspend or revoke the license.

Discipline Policy

-Corporal punishment prohibited.

Immunization Policy

-Children are required to be immunized and it is the responsibility of the provider to see that records are current. Parent must complete an immunization form proving the child has all required immunizations. If the child doesn't have them, parent must obtain them as quickly as possible or sign or obtain an exemption.

Nutrition Policy

-WA Superintendent of Public Instruction is state sponsor for USDA CACFP.

-Meals and snacks shall comply with USDA meal patterns, plus Vitamin C serving daily, Vitamin A foods 3 times per week; whole milk only from birth - 24 mos.

-A child in care for 10 hours or less: 2 snacks & 1 meal or 2 meals & 1 snack.

-A child in care for 10 hours or more: 2 or more meals & 2 snacks or 1 meal & 3 snacks.

-An afterschool child: a snack.

-Evening care: dinner (if child hasn't eaten), a bedtime snack and breakfast (for nightime care).

-If child brings food from home, the licensee must monitor, store safely, and supplement if not adequate (conforms to USDA meals pattern).

-A modified diet - allergy, etc. - only with health care providers permission.

-Only pasteurized milk.

Smoking Policy

-Smoking may be allowed; licensee prohibits smoking in all areas of the home used by the child during hours of operation when the child is in care; and a motor vehicle when the licensee or assistant transports a child.

Emergency Medical Consent Policy

-Form is required, but it does not have to be notarized.

Infant Care Programs

-Regualtions focus on diaper-changing, toilet training, feeding, sleeping equipment, and activities and equipment which are developmentally appropriate.

Sick Child Care Programs

-The licensee shall daily observe the child for signs of illness. The licensee shall care for or discharge home the ill child based on the homes policies concerning an ill child.

Special Needs Care Programs

-No special regulations.

Before and After School Programs

-No special regulations.

-No policy on overlap of school age with other children in family day care home.

National Life Safety Fire Code

-Not adopted; smoke detectors required in all sleeping or napping areas and on each story; exit windows 5.7 sq. ft.; fire extinguishers on all stories used for care; licensors are responsible for inspections of all FDC homes.

Zoning

-FDCH must comply with local ordinances.

Available Resources

-A guidebook; a host of handouts and forms; referrals to USDA food programs; CC R&R; family day care associations in 3 areas, training through R&R (state funded replication of Mervyn's Family-to-Family Training in Spokane, Everett, Olympia); links to WAEYC local chapters.

Local Contact

-Regional offices located throughout the state.

Pending Legislation

-Legislation is currently pending regarding regulations and application of uniform, standard zoning for FDC providers.

** Information not re-verified.

WEST VIRGINIA++

Information
Supplied By: Kay Tilton, Director
Dept. of Health & Human Resources
1900 Washington Street, East
Capitol Complex, Building 6, Room 850-B
Charleston, WV 25303
PHONE: (304) 348-7980
FAX: (304) 348-8800

Number of Homes

1,300 family day care homes

Regulations and Requirements

-FDC providers receiving federal funds or caring for 4-6 unrelated children must be registered by the State Department of Health and Human Resources; no fee.
-Providers may care for up to 6 children, including own children under age of 6; no more than 2 under age 2 allowed.
-Five percent of registered homes inspected annually. All Block Grant homes are monitored annually.
-No space requirements.

Training and Orientation

-Specific guidelines in developmental process; at minimum, health and safety will be mandated for Block Grant providers.

Provider Qualifications

-FDC provider must be at least 18 years old.
-Initial physical exam required.
-Criminal records check and thumbprinting done on providers and their families; fee is $5/person and DHHR pays fee. Providers sign record of criminal background statement when registering.

Complaint Procedure

-No information available.

Discipline Policy

-Corporal punishment prohibited.

Immunization Policy

-Children must be immunized in registered homes; provider is responsible to see that record is current.

Smoking Policy

-No information available.

Nutrtion Information

-No information available.

Emergency Medical Consent Policy
-Form is required; but it does not have to be notarized.

Infant Care Programs
-No special regulations.

Sick Child Care Programs
-No special regulations.

Special Needs Care Programs
-No special regulations.

Before and After School Programs
-No special regulations.
-No policy concerning overlap time for school age children when integrating into the family day care home daily; issue under investigation.

National Life Safety Fire Code
-Not adopted.

Available Resources
-No information available.

Zoning
-FDCH must comply with local ordinances.

Local Contact
-Local Dept. of Health and Human Resources.

Pending Legislation
-Development of group day care regulations.

++ This is the same information as reported in the 1992 Family Day Care Licensing Study. No new information was received prior to publication date.

WISCONSIN

Information Supplied By:	David B. Edie DHSS - O/R&L P.O. Box 7851 Madison, WI 53707 PHONE: (608) 266-9314 FAX: (608) 266-8278

Number of Homes

-2,057 licensed family day care homes
-3,000 (estimated) certified family day care homes

Regulations and Requirements

-Licensing required for homes with 4 or more children under age of 7.
-Certification required for FDCH that have fewer than 4 children under age 7 and that receive certain public funds for day care services.
-If 3 or 4 children under the age of 2 are in care, the number of other children in care is reduced.
-Licenses are $50 biennially and are renewed every 2 years after licensing review. The money is used to fund licensing staff positions.
-Liability insurance not required.
-Licensed homes inspected prior to licensing and at least annually thereafter if workload allows.
-Certified homes inspected according to state standards.
-Space requirements: For licensing- 35 sq. ft. per child indoors; 75 sq. ft. per child outdoors.
-No provisions for GDCH; provider caring for more than 8 children must meet same standards as day care center.

Training and Orientation

-Forty hours of early childhood education required within 6 months of licensing and 15 hours annual in-service training required in order to maintain one's license.
-Ten hours of training in infant/toddler care is required within 6 months after accepting infants or toddlers.
-Fifteen hours of training required for certification.

Provider Qualifications

-FDC provider must be at least 18 years old.
-Initial physical exam required.
-Two references required.
-All applicants must fill out a notarized form concerning criminal background. Random criminal record checks of licensed programs regularly.

Complaint Procedure

-To file a complaint, call licensing office.

-When a complaint is filed, usually there is an unannounced site visit and investigation; then complaint substantiated or not.
-Consequences: correction plan required and monitored; department can order action, can require forfeitures of license or revoke license.

Discipline Policy
-Corporal punishment prohibited.

Immunization Policy
-Children must be immunized; provider is responsible for seeing that records are current.

Nutrition Policy
-WI Deartment of Public Instruction is state sponsor for USDA CACFP.
-Meals must meet 1/3 of daily nutritional requirements; snacks must meet nutritional standards.

Smoking Policy
-Smoking is allowed; but not allowed in vehicles when children are transported.

Emergency Medical Consent Policy
-Form is required, but it does not have to be notarized.

Infant Care Programs
-Special regulations regarding staff training, daily program, feeding, diapering and toileting activities.

Sick Child Care Programs
-Sick children cannot be in care, some exceptions made if there is a carefully planned program.

Special Needs Care Programs
-No special regulations.

Before and After School Programs
-A written agreement outlining the plan for a school age child to come and go is required.
-No overlap policy is allowed; child/staff ratios must be maintained.

National Life Safety Fire Code
-Codes based on uniform dwelling code.

Zoning
-FDCH must comply with local ordinances, but there is a state statute prohibiting municipalities from preventing licensed homes from operating where single-family residence is a permitted use.

Available Resources
-Start up technical assistance through private contract; support from network of child care resource and referral agencies; work with vocational educational system and university to offer entry-level training and continuing education.

Local Contact

-County Dept. of Social Services - for certification.
-Regional offices, State Dept. of Health and Social Services - for licensing (4-8 children).

Pending Legislation

-None.

WYOMING**

Information
Supplied By: Glennda Lacey
Department of Family Services
Hathaway Building
Cheyenne, WY 82002
PHONE: (307) 777-6595
FAX: (307) 777-7747

Number of Homes

- -372 family day care homes
- -321 group day care homes

Regulations and Requirements

-Licensing required; no fee.

-FDCH may have up to 6 children including own preschool age children. Infant care limited to 2 unless another adult is present; then infant capacity can be increased to 5.

-Licenses renewed annually.

-Liability insurance not required, but strongly recommended.

-Homes inspected before licensing; then annually (inspections are unannounced).

-Space requirements: 35 sq. ft. per child inside, 75 sq. ft per child outside.

-Group Day Care Homes:

-Maximum of 11 children; staff ratio: 1:11, no more than 2 infants.

-Must have fire and health inspections as well as a licensing inspection.

Training and Orientation

-8 clock hours of training required annually as well as first aid training, and infant and child CPR.

Provider Qualifications

-Provider must be at least 19 years old.

-Provider must possess or have done at least one of the following: high school diploma or the equivalent, or be able to document 3+ months of supervised experience or education in care of children other than own (6+ months for providers in LFDC homes), or completed 5 clock hours of FDC training prior to certification, or have received a professional credential from nationally recognized organization.

-Physical exams and TB tests required for any household members who are active in caring for the children.

-Three written references required.

-No criminal record checks or fingerprinting required.

-A substitute for more than 24 hours per month must meet all the requirements.

-Provider is responsible for substitute or anyone else who comes in close contact with the day care while it is in operation.

Complaint Procedure

-To file a complaint, call local DFS office.

-When a complaint has been filed, investigation of rules violations is by unannounced visit.
-Consequences depend on seriousness of violation, can include license revocation.

Discipline Policy
-Corporal punishment prohibited.

Immunization Policy
-Children are required to be immunized; provider is responsible to see that the records are current.

Nutrition Policy
-WY Department of Health is state sponsor for CACFP.
-Nutritious meals and snacks are required.

Smoking Policy
-Smoking is allowed.

Emergency Medical Consent Policy
-Form is required, but it does not have to be notarized.

Infant Care Programs
-No special regulations.

Sick Child Care Programs
-Regulations adopted excluding sick children in day care.

Special Needs Care Programs
-No special regulations.

Before and After School Programs
-No special regulations.
-As space is available, providers are allowed 1-3 school age children for up to three hours over their capacity.

National Life Safety Fire Code
-Not adopted.

Zoning
-GDCH must comply with local zoning codes; fees incurred in special instances.

Available Resources
-Local associations, food programs, training.

Local Contact
-County Offices of the Division of Public Assistance and Social Services.

Pending Legislation
-Mandatory liability insurance.
-Child abuse/neglect registry checks.

** Information not re-verified.

STATE CONTACTS

STATE CONTACTS

Alabama

Liz Taylor
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Ofc. of Day Care & Child Devel.
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Arizona

Judie Chaflin
Dept. of Economic Security
Child Care Administration
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Judy Ramsey, Licensing Specialist
Dept. of Health Services
Office of Child Care Licensure
100 W. Clarendon
Phoenix, AZ 85013
PHONE: (602) 255-1272
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Colorado

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Department of Social Services
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